

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE TERRORIST ATTACKS ON

Civil Action No.

SEPTEMBER 11, 2001

03 MDL 1570 (GBD)

-----X

FIONA HAVLISH, in her own right :
and as Executrix of the ESTATE OF :
DONALD G. HAVLISH, JR., Deceased, et al., :

Plaintiffs, :

v. :

USAMA BIN LADEN, :

AL-QAEDA/ISLAMIC ARMY, :
an unincorporated association, *et al.* :
FOREIGN STATE DEFENDANTS, :

THE ISLAMIC REPUBLIC OF IRAN, :
ALI AKBAR HASHEMI RAFSANJANI :
Previously Identified and Served as :
Unidentified Terrorist 1, :

IRANIAN MINISTRY OF :
INFORMATION AND SECURITY, :

THE ISLAMIC REVOLUTIONARY :
GUARD CORPS, :

HIZBALLAH, :
an unincorporated association, :

THE IRANIAN MINISTRY :
OF PETROLEUM, :

THE NATIONAL IRANIAN :
TANKER CORPORATION :
Previously identified as Unidentified Terrorist 2, :

THE NATIONAL IRANIAN :
OIL CORPORATION, :

: CIVIL ACTION NO. 03-CV-9848 - RCC
: Case Transferred from the United States
: District Court for the District of Columbia
: Case Number 1:02CV00305

AFFIDAVIT
OF
CLARE M. LOPEZ
AND
DR. BRUCE D. TEFFT

I, **Clare M. Lopez**, and I, **Dr. Bruce D. Tefft**, being duly sworn, do hereby swear and affirm under penalty of perjury that the contents of this **Affidavit** are true and correct to the best of our knowledge, information, and belief. Similarly, we have read the allegations contained in the **Havlish Third Amended Complaint** and we believe they are true and correct to the best of our knowledge, information, and belief.

Affidavit of Clare M. Lopez and Dr. Bruce D. Tefft, page 2

Qualifications of Expert Witness: Clare M. Lopez

1. **Between 1980-2000**, I, **Clare Lopez**, served for twenty years as an undercover operations officer for the Central Intelligence Agency (CIA) with four full tours abroad (in Africa, Central and South America, and the Balkans in Europe) and multiple Temporary Duty tours (TDYs) to many countries worldwide. I worked issues related to counterintelligence, counter-narcotics, and counter-proliferation of Weapons of Mass Destruction (“WMD”). As a Directorate of Operations officer (now the National Clandestine Services), I met, recruited, handled, and debriefed assets,¹ defectors, and “walk-ins” under a range of circumstances, including denied area operations,² civil war, and civil disturbance, involving nations in the less-developed world.

2. **Between 2000-06**, I was retained by a number of federal contractors in the Washington, D.C. area. The first contractor to retain me was Chugach Systems from 2000-02 involving on-site consultation at the Bureau of Diplomatic Security, Department of State. There, I reviewed the Technical Threat environment for U.S. diplomatic posts worldwide and produced Technical Threat Analysis and Threat Level Recommendations for the InterAgency Technical Threat Working Group.

3. **Between 2002-05**, I served as a senior intelligence analyst for HawkEye Systems, LLC, a high-tech strategic management consulting firm where I provided intelligence analysis, counterintelligence, and Middle East subject matter expertise for validation of a Defense Department-funded software system featuring a forecasting and terror attack prediction model. I

¹ An **Asset** is an individual who covertly provides secret information to the Central Intelligence Agency (CIA) or other member-organization of the United States Intelligence Community (IC).

² **Denied Area of Operation** is a covert intelligence activity conducted by the CIA and other members of the IC in the territory of the state hostile to the United States where such activity would not be considered a friendly act.

also directed creation of *Red Cell*³ terrorist attack scenarios related to homeland security, and was integrated at the Defense Intelligence Analysis Center (DIAC) with the Joint Intelligence Task Force-Combating Terrorism (JITF-CT) at Defense Intelligence Agency (“DIA”) Headquarters, Bolling Air Force Base, where I performed in-depth, all-source research and analysis of national and transnational terrorism groups. Also, I have been involved in counterterrorism operations for the Wargaming Asymmetric Environment (WAE) Program for the Pentagon.

4. **Between 2005-06**, I served as Executive Director, Director for Research, and consultant for the Iran Policy Committee (IPC), a Washington, DC think tank dedicated specifically to issues involving the Islamic Republic of Iran. In those positions, I both directed and conducted extensive research and analysis on the Iranian Revolution, theocratic regime leadership and ideology, support for terrorism, nuclear weapons, and principal opposition groups. I was the principal writer of four major white papers and two published books that were briefed to Congress, the Executive Branch, and Washington, D.C. area academic, think tank, diplomatic, and media communities. My IPC affiliation and subsequent ongoing involvement in Iran issues also facilitated my meetings with dozens of Iranian dissident and exile figures and groups, including Action for Democracy in Iran, the Foundation for Democracy in Iran, the Iran Democratic Front Abroad, the Progressive Iranian American Committee, the United States Alliance for a Democratic Iran, and the *Mujahedeen-e Khalq* (MEK), and its international umbrella group, the National Council of Resistance of Iran (NCRI), headquartered in Paris, France. I continue to meet with many Iranians in exile, including victims of torture and survivors of the regime’s jails.

³ A *Red Cell* is a team, or unit designated to play an opposing force or enemy in order to test the capabilities and the effectiveness of the United States Government unit, usually referred to as a *Blue Cell*. A *Red Cell* will attempt to mimic the actions of an actual opponent to give a realistic challenge to the *Blue Cell*.

5. **Between 2005-06**, I was also a senior scientific researcher for Battelle Memorial Institute, where I supported a major DIA contract focused on WMD and Middle East issues.

6. **Since 2006**, I have worked as an independent consultant for a variety of clients, companies, and organizations. In addition to my non-profit and educational work described above, I have also worked as a *Red Cell* team leader for a Department of Defense Joint Forces Command (JFCOM) war game focused on national security threat scenarios. I also currently work for a federal contractor that provides clandestine operations training to active duty military intelligence personnel.

7. **Currently**, I am also the Vice President of the Intelligence Summit, a non-profit education forum and network organization focused on counterterrorism, homeland security, intelligence, and law enforcement.

8. **Concurrently**, I am a Professor at the Centre for Counterintelligence and Security Studies (CI Centre), a firm in Alexandria, Virginia, that has taught primarily students from within the U.S. Intelligence Community since 1996. I teach an eight-hour course which I created about the Iranian intelligence services. I have taught this course for about two years on a regular basis to analysts with Top Secret/SCI security clearances at the National Security Agency (NSA).

9. For additional expert qualifications, please see Exhibit "A" including, but not limited to, **Book Publications, Monographs, Scholarly Articles, and Scholarly Presentations.**

Qualifications of Expert Witness: Dr. Bruce D. Tefft

10. **Between 1975 and 1995**, I, Dr. Bruce D. Tefft, served for twenty-one years as an undercover operations officer and Chief of Station for the CIA with 17 years spent abroad in Africa, South Asia, and South East Asia. I was a founding member of the CIA's

Counterterrorism Center in 1995 with specific responsibilities for Iran and its support of Hizballah and Shi'ite terrorism.

11. **Between 1995 to the present**, I have worked for a number of federal contractors, always with duties involving terrorism research and training. Since 1995, I have also developed and maintained a professional information depository known as *The Grendel Report*, exchanging articles (*circa* 1500 per day) and information with a network of some 300+ terrorism experts and specialists around the world.

12. **Between 2002-04**, I was a volunteer Counter-Terrorism and Intelligence Advisor to the New York Police Department's Counter-Terrorism Bureau and Intelligence Division. **I have been certified as an expert witness in the United States District Court in Washington, D.C. approximately seven times regarding terrorism cases against Iran and Libya:**

Estate of Michael Heiser v. Islamic Republic of Iran (D.D.C. 2006)
Blais v. Islamic Republic of Iran (D.D.C. 2006)
Campuzano v. Islamic Republic of Iran (D.D.C. 2003)
Steen v. Islamic Republic of Iran (D.D.C. 2003)
Surette v. Islamic Republic of Iran (D.D.C. 2002)
Welch v. Islamic Republic of Iran (D.D.C. 2007)
Elaine L. Collett v. Socialist Peoples' Libyan Arab Jamahiriya (D.D.C. 2005)

13. In addition, my expert witness testimony has been cited in at least two other cases:

Joseph J. Rimkus v. Islamic Republic of Iran, 575 F.Supp. 2d181 (D.D.C. 2008)
Richard Paul Brewer v. Islamic Republic of Iran, Civil Action No. 08-0534 (ESH), Slip.Op. at 9 (D.D.C. Oct. 15, 2009)

14. **Currently**, I am the Vice President of Western Defense Studies Institute, a non-profit educational forum and network organization based in Rome, Italy focused on counterterrorism, research and first responders' training.

15. **Concurrently**, I am the Director of Community Research Associates, Inc.'s (CRA) Terrorism Assessment Center, a firm in Alexandria, Virginia that has provided training in

Disaster Response and Terrorism Prevention to the Law Enforcement and First Responder community throughout North America, Mexico, and the Caribbean.

16. I have received several **Awards** including three CIA Awards for Exceptional Service and four CIA Awards for Exceptional Performance.

17. For additional expert qualifications, please see Exhibit “B” including, but not limited to, **Employment History, Central Intelligence Agency positions/offices, Education, and Professional Associations.**

II. Affidavit Summary

The Islamic Republic of Iran: Supreme Leader and Iranian National Policy

18. The Islamic Republic of Iran cannot easily be compared to other nations, or even to other dictatorships. Its primary mission, enshrined in Iran's Constitution and the works of the Ayatollah Khomeini, is the establishment of an Islamic state worldwide and the conversion of all peoples to its Islamic ideology.

19. Although the Islamic Republic of Iran has the general constitutional form of a western state with a president and a parliament, the **total executive power** of the state is vested in **The Supreme Leader**, a senior Islamic cleric. Despite a succession of Iranian presidents, from Ali Khamenei in the 1980s to Ali Akbar Hashemi Rafsanjani and Mohammad Khatami during the 1990s and on to 2005, and to Mahmud Ahmadinejad currently, the Islamic Republic has had just two Supreme Leaders since its inception in 1979: the Islamic Republic's founder Ayatollah Ruhollah Khomeini (1979-1989) and his hand-picked successor, Ayatollah Ali Khamenei (1989-present), who currently holds the position.

20. The Supreme Leader wields the sole authority to command, appoint, and dismiss every major leadership figure of any importance in the Iranian government system including

members of the Guardian Council and National Security Council, all principal military commanders, the chief of the Iranian judicial system, all heads of important foundations in the country, directors of national television and radio, and even the Friday prayer leaders in major mosques. The Iranian Constitution also grants the Supreme Leader the authority to dismiss the popularly elected President at will – at any time, for any reason, or for no reason at all.

Theoretical constraints upon the actions of the Supreme Leader, who is elected by the Assembly of Experts and can be dismissed by it, are just that: theoretical.

21. The Supreme Leader is supported by a phalanx of religiously conservative ayatollahs who wield great influence throughout the government and society. Within Iran's Islamic culture, modern notions of representative democracy are but recent and not-very-welcome innovations. More important than democratic representation is the institution of the *Shura*, or consultative council, which serves as a kind of consensus-building mechanism among an Islamic elite.

22. Iran's clerical leaders view the Islamic Republic as something more than a mere country, *viz.*; they see it as the seed and vanguard of a revolutionary movement. This theocratic vision is what has driven Iran to become the **world's preeminent state sponsor of terror**, a brutal human rights violator, and a global nuclear threat.

23. Although the theocratic foundation of the Iranian regime springs from Khomeini, the institutional foundation of the regime is the Iranian Revolutionary Guards Corps (IRGC) and its subdivision, The Qods Force. The IRGC is a huge combination of a military, political, and even corporate-like entity, and it is charged with protecting the Islamic Revolution and eliminating domestic religious and political dissent internally and abroad, and with exporting the Revolution internationally.

24. The IRGC, or *Pasdaran* in Persian, was formed by former Supreme Leader Ayatollah Khomeini in the aftermath of the 1979 Islamic Revolution. The IRGC was created as a counterweight to the regular military, and to protect the revolution against a possible coup by the regular Iranian military. The IRGC is, therefore, a separate and distinct unit and its commanders report directly to the Supreme Leader, Iran's top decision maker.

25. The Qods Force, a paramilitary arm of the IRGC, is mandated with **exporting the Islamic Revolution** to neighboring countries beginning with Iraq's Shi'a Southern region. In 1982, Hizballah ("Party of God") was established by an IRGC Qods unit that came to Lebanon during the 1982 Israeli invasion and the subsequent "*Peace for Galilee*" war, as part of the policy of exporting the Islamic Revolution, as well as opposing Israel.

26. The IRGC also supervises a domestic volunteer auxiliary paramilitary unit known as the Basij. The Bassij are basically youths who strong-arm, intimidate, and often directly assault the Iranian public at large, supposedly to maintain internal security, but basically enforcing submission to the regime. For example, the Bassij did much of the heavy-handed work to break up the Green Movement street protests in the aftermath of the 2009 elections in Iran.

27. The Iranian regime has a world-class, well-funded, and well-trained intelligence service in the Ministry of Information and Security (MOIS), also referred to as VEVAK.

28. Assisted by 1,500 IRGC/Qods Force in Lebanon, Hizballah began establishing its base in Lebanon in 1982 and has expanded and strengthened ever since, primarily due to developing home-based support among Lebanese Shi'a and foreign support by Iran and Syria. Hizballah is dedicated to creation of an Iranian-style Islamic republic in Lebanon and removal of all non-Islamic influences from the area. Hizballah is strongly anti-Western and anti-Israeli.

29. U.S. intelligence sources agree that **one branch of al Qaeda's core leadership has been since 2001-2002 and continues to operate in Iran** under this *Shura*. However, Iranian authorities do not acknowledge its support of al Qaeda as an official policy of the Tehran regime. We further conclude that Iranian denial is disingenuous because the interests of Iran and the clerical clique that governs the country, together with the IRGC-Qods Force, have, for decades, been closely aligned with al Qaeda in confronting the United States and the West in general.

30. We conclude that the IRGC and its subordinate division, the Qods Force, closely adhere to their mission and operate through a chain of command authority that reaches up directly to the Supreme Leader. We conclude that, in terms of command over and supervision of the Iranian intelligence, military, and security forces, including **the IRGC, its subordinate Qods Force and Bassij divisions, as well as the MOIS, these organs undertake no major action, campaign, or initiative either domestic or international without the personal approval, either tacit or explicit, of Supreme Leader Khamenei.** IRGC/Qods Force and MOIS collaboration with al Qaeda must therefore be understood as resting completely within the context of official Iranian national policy.

Material Support

31. We conclude that, for over twenty-five years, Hizballah has received substantial amounts of material assistance from Iran. Prior to 2001, Iran was financially subsidizing its proxy terrorist organization, Hizballah, in Lebanon in the amount of approximately \$100 million annually. By 2005, credible intelligence sources report this amount had increased to approximately \$300 million annually and, by January 2008, the amount is believed to have

further increased substantially. In 2008, Iran trained over 3,000 Hizballah fighters at camps in Iran.

32. In addition to Hizballah, Iran has provided **material support** for numerous terrorist groups around the globe including most notably HAMAS, the Egyptian al Gama al Islamiya, the Palestinian Islamic Jihad and Ahmad Jibril's Popular Front for the Liberation of Palestine.

33. We conclude that Iran/Hizballah⁴ provided **material support**⁵ to al Qaeda **BEFORE** the events of September 11, 2001. The material support was provided in Iran, Sudan, Lebanon, Saudi Arabia, Syria, and Afghanistan for terrorist activities in the Middle East, Africa, Europe and Asia, and with respect to the planning, training, and logistical support for the 9/11 terrorist attacks on America.

34. Notably among the al Qaeda acts of terror materially supported by Iran prior to 9/11 were the Khobar Towers bombing in 1996, the twin bombings of two United States Embassies in East Africa in 1998, and the speed boat suicide bombing of the destroyer USS Cole off the coast of Yemen in 2000. Hizballah and its terror operations chief **Imad Mughniyah** provided explosives, operational planning, and training support for all of these al Qaeda attacks against America.

35. We conclude that **Imad Mughniyah**, the most notable and notorious world terrorist of his time, an agent of Iran and a senior operative of Hizballah, facilitated the international travel of certain 9/11 hijackers to and from Iran, Lebanon, Saudi Arabia, and Afghanistan, and perhaps various other locations for the purpose of executing the events of September 11, 2001. This support enabled two vital aspects of the September 11, 2001 plot to

⁴ Throughout this Affidavit, we will use the term "Iran/Hizballah" to refer to Iran and/or Hizballah working in concert, as Hizballah is in fact a creature, proxy, and instrument of Iran.

⁵ As defined in 18 U.S.C. §2339A.

succeed: (1) the **continued training** of the hijackers in Afghanistan and Iran after securing their United States visas in Saudi Arabia, and (2) **entry into** the United States.

36. We conclude that Iran/Hizballah provided material support to al Qaeda **AFTER** the events of September 11, 2001. The **material support** was provided in Iran, Iraq, Lebanon, Saudi Arabia, Syria, and Afghanistan for terrorist activities in the Middle East, Africa, Europe and Asia, as well as in relation to the 9/11 attacks on America.

37. We conclude that the **material support** provided by Iran/Hizballah to al Qaeda both **BEFORE** and **AFTER** the events of September 11, 2001 involved, among other matters, planning, recruitment, training, financial services, expert advice and assistance, lodging and safe houses, false documentation and identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, and travel facilitation.

38. With regard to the September 11, 2001, attacks, Iranian travel facilitation enabled eight to fourteen muscle hijackers to acquire needed Saudi passports and U.S. visas thus ensuring their continued **training** in Afghanistan and **access** to the United States. This travel facilitation to and from Iran, Saudi Arabia and Afghanistan was a vital link in the 9/11 conspiracy, an indispensable aspect of the terrorist success.

39. We conclude that the Islamic Republic of Iran and its terrorist proxy, Hizballah, work, and have since the 1990s worked, in close coordination with, and have provided material support to, Usama bin Laden, Ayman al Zawahiri, and al Qaeda to mount terrorist operations against United States, Israeli, and Western interests around the world.

40. We conclude that key leaders of the Shi'ite and Sunni sects of Islam, and in particular, the leaders of Iran, Hizballah, and al Qaeda, are, and have been since the early to mid-1990's, unified in their enmity to the United States, Israel, and all of Western-style civilization.

Prioritizing the waging of doctrinally-commanded Islamic *Jihad* (or Holy War), principally through acts of providing **material support** for, and acts of, terrorism, they have worked closely together to coordinate attacks against non-Muslim targets, and they continue to do so.

41. We conclude that the al Qaeda leadership *Shura* council, which has operated in Iran under the protection of the Iranian regime since late 2001, has been credibly linked by intelligence and security investigators to terrorist attacks against United States and other Western countries' interests on three continents.

42. We conclude that **personal relationships** between al Qaeda leadership figures Usama bin Laden and Ayman al Zawahiri on the one hand, and key officials in the government of Iran and Iran's terror proxy Hizballah on the other, have formed the basis of the al Qaeda-Iran collaborative relationship.

The Witnesses

43. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

III. Three Ideological Documents

51. Three documents are helpful in understanding the background of Iran/Hizballah and al Qaeda complicity.

52. **FIRST**, the following excerpts are from the “*Declaration of War Against the Americans Occupying the Land of the Two Holy Places*” by Usama bin Laden, first published in *Al Quds Al Arabi*, a London-based newspaper, in August, 1996:

“Praise be to Allah, we seek His help and ask for his pardon...the people of Islam had suffered from aggression, iniquity and injustice imposed on them by the Zionist-Crusaders alliance and their collaborators...The people of Islam awakened and realised that they are the main target for the aggression of the Zionist-Crusaders alliance...From here, today we begin the work, talking and discussing the ways of correcting what had happened to the Islamic world ...

The explosion at Riyadh [1995] and Al-Khobar [1996]⁷ is a warning of this volcanic eruption emerging as a result of the sever oppression, suffering, excessive iniquity, humiliation and poverty...[and] Ignoring the divine Shari'ah law, depriving people of their legitimate rights.

*"It must be obvious to you that, due to the imbalance of power between our armed forces and the enemy forces, a suitable means of fighting must be adopted, i.e., using fast moving light forces that work under complete secrecy. In other words, to initiate guerrilla warfare, **where the sons of the [Islamic] nation**, and not the military forces, take part in it.*

"The youths you called cowards are competing among themselves for fighting and killing you...Terrorizing you, while you are carrying arms on our land, is a legitimate and morally demanded duty...

53. **SECOND**, the following two excerpts are from Usama bin Laden's "*Second Declaration of War against Jews and the West*," originally published on February 23, 1998:

"We -- with God's help -- call on every Muslim who believes in God and wishes to be rewarded to comply with God's order to kill the Americans and plunder their money wherever and whenever they find it."

"The ruling to kill the Americans and their allies -- civilians and military -- is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al Aqsa Mosque and the holy mosque [Mecca] from their grip, and in order for their armies to move out of all the lands of Islam, defeated and unable to threaten any Muslim."

54. **THIRD**, the following excerpt is from the *Preamble to the Constitution of the Islamic Republic of Iran*, as amended, 1989. Emphasizing its key significance to the founders of

⁷ On November 13, 1995, two truck bombs killed five Americans and two Indians in the U.S.-operated Saudi National Guard training center in Riyadh, Saudi Arabia. On June 25, 1996, a truck bomb detonated next to the Khobar Towers, a residential complex in Dhahran, Saudi Arabia, killing 19 American servicemen and wounding 372. Clearly, bin Laden is taking both ownership and pride in these two acts of terrorism. These attacks were preceded by the first-known al al Qaeda attack against the US in Aden, Yemen, in 1992 where 3 bombings were targeted at hotels housing US troops, but there were no US casualties. In October 1993, al al Qaeda was also involved in the Mogadishu, Somalia, downings of two U.S. Black Hawk helicopters resulting in the deaths of 18 U.S. soldiers. These attacks were followed by the August 1998 bombings of the US Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, where 301 persons were killed and more than 5,000 injured; and by the October 2000 bombing of the USS Cole in the port of Aden, Yemen, which killed 17 U.S. Navy sailors and wounded 39.

the Iranian Revolution, the Qur'anic quotation is also repeated in Article 151 of the Iranian Constitution.

*“In the organization and equipping of the country’s defense forces, there must be regard for faith and religion as their basis and rules. And so the Islamic Republic’s army and **the Corps of Revolutionary Guards** must be organized in accordance with this aim. They have responsibility not only for the safeguarding of the frontiers, but also for a religious mission, which is Holy War (JIHAD) along the way of God, and the struggle to extend the supremacy of God’s Law in the world.*

“Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies of God and your enemies, and others besides...” (Q 8:60)

IV. Foundation of the Iran-al Qaeda Relationship

55. The relationship between the *Islamic Republic of Iran* and *al Qaeda al Jihad* (hereafter Iran and al Qaeda) is a close one that dates to the 1990s. Its rationale is founded in (i) a common dedication to a literal textual interpretation of Islamic doctrine and (ii) the deep enmity that leaderships of both Iran and al Qaeda hold for the Western concept of liberal democracy under rule of man-made law.

56. Based on the voluminous record of these two Muslim jihadist entities that has been written in the blood of countless assassinations, attacks, executions, kidnappings, and torture over a period of decades, we, **Clare Lopez and Dr. Bruce D. Tefft**, both conclude, based on our own years of professional expertise, that this is an alliance dedicated to a complete rearrangement of the world order. In the ideal world as envisioned by the leadership of Iran and al Qaeda, the United States is no longer the powerful leader of the free world. Indeed, the Western value system based on a Judeo-Christian ethic inherited from Athens, Rome, and Jerusalem has been obliterated.

57. The ideology of hatred against Western “*infidel*” civilization that is reinforced by common ideological beliefs trumps deep-seated, intense Shi’a-Sunni animosities at the strategic level of confronting the United States and its allies.

The Relationship: Modus Operandi

58. Throughout the period since the Iranian Revolution right up to the present day, it is primarily Iran as the nation-state that provides material support and assistance to terrorist organizations like Hizballah, HAMAS, al Qaeda, and others, in the form of financing, official documentation, weapons, explosives, safe passage and safe haven, and training in a range of terror tactics. In return, Hizballah, HAMAS, and al Qaeda have attacked a long list of Western-affiliated targets, and their readiness to take public responsibility for these acts of terrorism **allows Iran both the convenience of a terror proxy and some measure of deniability.** The perpetuation of this unholy alliance, dating from the 1990’s and continuing to today in Iraq and Afghanistan, creates the most deadly partnership in the annals of Islamic Jihadist terrorism.

59. Evidence of a mutually beneficial relationship between Iran (Shi’a) and al Qaeda (Sunni) is plentiful in the open source⁸ information arena and will be presented here in chronological order, beginning shortly after Ayatollah Khomeini’s triumph in the Iranian Revolution of 1979.

⁸ **Open source information** is defined as information or data obtained from overt, available sources (as opposed to covert, secret or classified material) in the public sector. **Open source information** can range from news media, to academic research, to trial transcripts, and unclassified, publicly released data. We have not utilized any classified information or knowledge in this Affidavit. Every paragraph contained herein can be documented and authenticated from at least one source and, often times, many sources. The statements by the 9/11 Commission, the U.S. Treasury Department and many other governmental entities (foreign and domestic) have been extremely valuable in the formulation of our expert opinions. **As professional intelligence officers, we examine information through the intelligence process. The information that is collected is the raw material, the analysis is the process, and intelligence is the end product.** Analysis and Production is the review of all-source information to determine its utility, reliability and context. An analyst will often compare information on the same topic from a variety of different sources to test its accuracy. Using analytical skills as well as research models and techniques and computerized analytical tools, the analyst will construct an intelligence product, usually a report or, in this case, an Affidavit, entailing the analysts’ conclusions on that particular topic.

60. **On November 5, 1979**, the Ayatollah Khomeini first declared the United States was the “*Great Satan*.” On January 14, 1980, a group of 120 Pakistani army officers on a pilgrimage to the city of Qom visited Ayatollah Khomeini. The Ayatollah told them, “*We are at war against the infidels. Take this message with you. I ask all Islamic nations, all Muslims, all Islamic armies and heads of Islamic states to join the Holy War. There are many enemies to be killed or destroyed. Jihad must triumph.*” From the very beginning, the clerics reiterated their commitment to the global character of Islamic Revolution and its export around the world. In a July, 1982 sermon, Khomeini argued “*Muslims should unite and defeat America. America and the West’s lifeline depends on this region’s oil.*” See, Homayoun, Assad, “Modern Terrorism Stated with the 1979 Iranian Revolution,” *World Tribune*, 4 December 2001.
<http://azadeganiran.com/ModernTerrorism.asp>.

61. **In 1979**, the CIA issued a report, *International Terrorism*, in which it was noted that:

“Anti-US sentiment in Iran reached a peak in 1979 with the second takeover of the US Embassy in Tehran.... After the takeover, security forces, acting in concert with the terrorists, guarded the hostages and restricted communications. Rather than actively negotiating for the release of the hostages, [Iran] government authorities reinforced the demands of the terrorist.”

V. **Presidential Statements: Ronald Reagan, William J. Clinton, George W. Bush**

62. On January 19, 1984, during the Presidency of Ronald Reagan, the U.S. Department of State designated **Iran** as a “State Sponsor of Terrorism.”⁹ On October 30, 1987, President Reagan issued Executive Order 12613 entitled: “*Prohibiting Imports from Iran*” wherein he noted his finding “*that the Government of Iran is actively supporting terrorism as an instrument of state policy*” and also that “*Iran has conducted aggressive and unlawful military*

⁹ See “*State Sponsors of Terrorism*,” U.S. Department of State at www.state.gov.

action against U.S.-flag vessels and merchant vessels of other non-belligerent nations.”

Executive Order 12613, 52 Federal Register 41940 (October 30, 1987).

63. On March 15, 1995, President William Clinton issued Executive Order 12957 entitled: *“Prohibiting Certain Transactions with Respect to the Development of Iranian Petroleum Resources”* wherein he stated that *“the actions and policies of the **Government of Iran** constitute an unusual and extraordinary threat to the national security, foreign policy and economy of the United States...”* Executive Order 12957, 60 Federal Register 14615 (March 15, 1995). Also, in 1997 during the Clinton Presidency, the U.S. State Department designated **Hizballah** *“a foreign terrorist organization.”*

64. On September 23, 2001, President George W. Bush signed Executive Order 13224 entitled, *“Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism.”* **Egyptian Islamic Jihad, al Qaeda, Usama bin Laden, Ayman al Zawahiri**, and other al Qaeda associated groups and individuals were listed in the Annex.¹⁰ On November 2, 2001, President George W. Bush updated Executive Order 13224 to include freezing U.S. assets of organizations and individuals linked to **Hizballah**.¹¹ On January 20, 2002, President George W. Bush declared during the State of the Union Address that **Iran** was a member of the *“Axis of Evil”* because of its continuing support of terrorism in the world.

65. Based on Executive Order 13382 (June 28, 2005 entitled: *“Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters”*) the U.S. State Department designated the **IRGC** as a foreign terrorist organization. The U.S. Treasury Department, based

¹⁰ “Executive Order 13224 of September 23, 2001,” Federation of American Scientists at <http://www.fas.org/irp/offdocs/eo/eo-13224.htm>

¹¹ *“Treasury Statement Regarding Foreign Terrorist Organization Listing,”* U.S. Department of the Treasury November 2, 2001 at <http://www.treas.gov/press/releases/po757.htm>

on Executive Order 13224 of September 23, 2001 designated the **IRGC-Qods Force as a terrorist organization** for “*providing material support to the Taliban and other terrorist organizations.*”¹²

VI. U.S. State Department: Annual Reports on Terrorism

66. Since 1976, U.S. law has required the Secretary of State to provide Congress, by April 30 of each year, a full and complete report on terrorism with regard to those countries and groups meeting criteria set forth in the legislation. Until 2004, this annual report was entitled *Patterns of Global Terrorism and Patterns of International Terrorism*. Beginning with the report for 2004, it has been titled *Country Reports on Terrorism*.¹³ (All emphases in the quoted passages below are supplied by the Affiants.)

1980 Patterns of International Terrorism

67. Regarding **1980**, the U.S. Department of State’s *Patterns of International Terrorism* stated:

“...the Iranian Government itself initiated numerous acts of international terrorism. Our records list international terrorist attacks carried out by Iranian nationals last year—at least half of which were directly carried out by Iranian Government officials. These attacks occurred in Europe, the Middle East, and the United States... Most prominently, the taking of the U.S. hostages in Tehran was a clear act of international terrorism, violating all norms of diplomatic behavior; this incident clearly was approved by the Iranian Government.”

1981 Patterns of International Terrorism

68. Regarding **1981**, the U.S. Department of State’s *Patterns of International Terrorism* stated:

“In recent years, however, assassination attempts have increased dramatically, especially from 1977 to 1980... This increase is attributable to the fact that

¹² “Fact Sheet: Designation of Iranian Entities and Individuals for Proliferation Activities and Support for Terrorism,” U.S. Department of the Treasury, October 25, 2007. Accessed online 4 February 2010 at <http://www.ustreas.gov/press/releases/hp644.htm>

¹³ See <http://www.state.gov/s/ct/rls/crt/c14813.htm>. See also *Patterns of Global Terrorism* from 1976 to 2007 at: <http://www.terrorisminfo.mipt.org/Patterns-of-Global-Terrorism.asp>

*several countries-Libya, Syria, **and Iran** among them-have increasingly used their military and intelligence services to carry out terrorist attacks against foreign diplomats or their own exiles.”*

1982 Patterns of International Terrorism

69. Regarding **1982**, the U.S. Department of State’s *Patterns of International Terrorism* stated:

“Consistent with its radical, anti-Western policies, its zeal for Islamic fundamentalism, and its widespread employment of terrorism within Iran itself, the Khomeini regime supports terrorist groups such as the Iraqi Islamic Revolutionary Council, a Shiite oppositionist group responsible for numerous bombings in Iraq. In a November 1982 press interview, Hojjat al Eslam Mohammad Baqer Hakim, spokesman of the Iraqi Islamic Revolutionary Supreme Assembly, named Iran as one of its primary financial backers.”

1983 Patterns of International Terrorism

70. Regarding **1983**, the U.S. Department of State’s *Patterns of International Terrorism* stated:

*“Terrorist activity in the Middle East-notably that apparently **sponsored by Iran** in Lebanon-caused the greatest damage not only in lives and property, but also in terms of political stability...the 18 April attack on the US Embassy and the 23 October assault on the Marine headquarters, both carried out by **pro-Iranian** Shiite radicals in Beirut operating under the name Islamic Jihad.”*

“...Iran’s use of terrorism to promote Islamic fundamentalist revolutions throughout the Middle East is inimical to US policies and profoundly threatens Western interests.”

*“Lebanon was the setting for the most lethal violence directed against the United States in 1983. The presence of the foreign peacekeeping troops in Lebanon, the anti-Americanism that permeated the region, and the ready availability of individuals willing to die for their religious and secular ideals contributed to the deadliness of those incidents. Some seven attacks there resulted in 267 dead and 104 injured-95 percent of US casualties worldwide. Most of those casualties resulted from two of the bloodiest vehicle bombings in 1983—the April 18 attack on the US Embassy and the October 23 assault on the Marine headquarters, **both carried out by pro-Iranian Shiite radicals in Beirut operating under the name Islamic Jihad.**”*

“Iran also trained Shia dissidents from most of the Arab nations in the Persian Gulf region in terrorist tactics.”

*“...using the nom de guerre Islamic Jihad, operated with **Iranian support and encouragement** from Syrian-controlled territory. They were responsible for the suicide bombing attacks against the US Embassy and the headquarters of the US and French contingents of the Multinational Force (MNF) in Beirut, which resulted in unprecedentedly **high numbers of casualties** (557)”*

*“...Iranian patronage was a major factor in terrorism elsewhere in the Middle East during 1983. In Kuwait, members of the Dawa (Islamic Call) Party, **most of whom had received training and direction from Tehran**, successfully carried out six bombings on 12 December, including one blast that severely damaged the US Embassy... Iran also trained Shia dissidents from most of the Arab nations in the Persian Gulf region in terrorist tactics, and Iranian-backed Shias carried out several bombings against Iraqi interests.”*

1984 Patterns of Global Terrorism

71. Regarding **1984**, the U.S. Department of State's *Patterns of Global Terrorism* stated:

*“Many of the attacks of Middle Eastern origin in 1984 were **the work of groups or agents** who frequently work at the behest of one of three radical states: **Iran, Syria, or Libya**. Indeed, sponsorship or support of terrorism by these three countries became the most salient characteristic of international terrorism in 1984—one that has been largely responsible for the increased violence of attacks and the proliferation of Middle Eastern terrorist operations in Western Europe.”*

*“...In large measure, the range and lethality of terrorism derive from the increasingly active role played by sovereign states—most notably Iran, Syria, and Libya. These three Muslim radical states have actively supported a variety of ethnic and religious terrorist and guerrilla groups. Indeed, **Iran, Syria, and Libya have set a new and alarming-style in state-supported terrorism, one unique among the nations facilitating the spread of anti-US attacks**. The **unprecedented degree of backing** and, in some cases, **active participation** by these states in terrorist operations, helped make terrorism in 1984 very much a problem of the Middle East.”*

*“...Currently the world's leading supporter of terrorism, Iran has been most active in Lebanon. At the same time, Tehran still intends to punish the United States for its support of the late Shah ... hopes to drive US and Western influence from the Islamic world, has championed some of the most viciously anti-Western groups in the region—such as the **Hizballah** in Lebanon.”*

“...Tehran's long-term goal is to spread its revolution by using terrorism to help create like-minded fundamentalist Islamic republics in Middle East and Persian

Gulf states with large Shia populations. To that end, Iran continues to train Shia dissidents and to establish a terrorist infrastructure in the region.”

1985 Patterns of Global Terrorism

72. Regarding **1985**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“In 1985, 93 incidents (12 percent of all international terrorist incidents), one-third of which occurred in Western Europe, bore indications of state support. More than 90 percent of state-supported terrorist incidents were conducted by groups or agents supported by Middle Eastern states-most notably Libya, Syria, and Iran... Groups with established ties to Iran carried out some 30 attacks last year.”

“...Export of the revolution has been a central tenet of the clerical regime in Iran, with terrorism a primary instrument in advancing this objective. Iran has used its network of diplomatic and cultural missions to support terrorist operations, and many elements of the Iranian Government, including several senior officials, have been directly involved in terrorist activity.”

“...Tehran has maintained the capability to resume quickly terrorist activities throughout the Persian Gulf. Shi'a dissidents from several Gulf states have traveled to Iran to receive training...whose diplomatic [Iranian] personnel have been implicated in terrorist attacks.”

1986 Patterns of Global Terrorism

73. Regarding **1986**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“...In 1986, Libya, Syria, and Iran continued to be the most active state sponsors of international terrorist groups... Iran in 1986 continued to view terrorism as an important instrument in its campaign to drive US and Western influence out of the Middle East... In the Persian Gulf, Iran has used terrorism to promote its foreign policy goals”

“...Iran recruits Shias from the Gulf states, gives them religious indoctrination, paramilitary and terrorist training, and returns them to these states... Lebanon has been the scene of most of the terrorism perpetrated by groups that Iran supports. Tehran continues to provide significant support to the radical Shia Hizballah movement that has kidnapped foreigners and is conducting terrorist operations against Western-and particularly US and French-interests.”

1987 Patterns of Global Terrorism

74. Regarding **1987**, the U.S. Department of State's *Patterns of Global Terrorism* stated:

*"...Another important increase was in **Iranian-sponsored terrorism: 44 incidents**, representing a 30-percent jump over 1986. Of those countries to which we were able to attribute responsibility for supporting international terrorism, **Afghanistan, Iran, and Libya were the most frequent sponsors during 1987**. Out of a total of 189 worldwide-sponsored incidents. **Afghanistan, Iran, and Libya** were responsible for **94 percent-** 127, 44, and 7 incidents, respectively."*

*"...We believe that **most Iranian leaders agree: that terrorism is an acceptable policy option**. Although some may disagree on specific operations... **Iran undoubtedly views terrorism as a potential major weapon in its confrontation with the United States in the Persian Gulf.**"*

*"...Although no Iranian-backed terrorist attacks were staged against specific US targets during the year, we believe that **during the summer of 1987 Iran began to formulate contingency plans for anti-US terrorist operations.**"¹⁴*

1988 Patterns of Global Terrorism

75. Regarding **1988**, the U.S. Department of State's *Patterns of Global Terrorism* stated:

*"...**Afghanistan, Iran, and Libya were the most active state sponsors of international terrorism in 1988, just as they were the previous year. Iran was linked to 32 incidents in 1988...** The year 1988 also saw a violent resurgence in terrorism by two of the most dangerous Middle Eastern groups-the Abu Nidal organization (ANO) **and the Iranian-backed Hizballah in Lebanon**. Both groups conducted spectacular operations against Arab and Western targets."*

*"**Hizballah terrorists, probably directed by Imad Mughniyah,¹⁵ a Hizballah security chief, hijacked a Kuwaiti airliner seeking the release of 17 Shia***

¹⁴



*terrorists imprisoned in Kuwait. Although the terrorists failed to obtain release of any prisoners and killed two Kuwaitis, the operation was in some respects technically impressive. **The terrorists -in suspected complicity with Iran – showed themselves to be skilled professionals** in their ability to manage the incident, equip themselves, secure the airliner from rescue, and escape when an end to the incident had been negotiated.”*

1989 Patterns of Global Terrorism

76. Regarding **1989**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“...Iran was the most active state sponsor in 1989, backing 28 attacks ... Iran continues to use terrorist tactics to advance its revolutionary goals... Iran may be using Hizballah to reestablish its terrorist network in Europe.”

*“...Iran’s extensive support for terrorism continued after the death of Ayatollah Khomeini in June. The events of 1989 indicate Tehran continued to view the selective use of terrorism as a legitimate tool to achieve specific foreign policy goals. **Iranian intelligence has been used to facilitate and in some cases conduct terrorist attacks.** In addition, Iran is expanding contacts with Lebanese Muslim extremists, radical Palestinian groups, and other Muslim fundamentalist groups to carry out terrorist operations against Israeli, US, Western, and moderate Arab interests.”*

“...Iran continues to provide Hizballah with money, weapons, and training and has approved-and in some cases encouraged-the kidnapping of Western citizens. Tehran also continued to develop relations with Palestinian fundamentalist groups, as well as with radical Palestinian groups.”

1990 Patterns of Global Terrorism

77. Regarding **1990**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

*“Iran’s extensive support for terrorism continued during 1990... Iran has used its intelligence services extensively to facilitate and conduct terrorist attacks, particularly against regime dissidents. Intelligence officers in embassies have used the diplomatic pouch for conveyance of weapons and finances for terrorist groups. Iran continued to strengthen its relationship with Muslim extremists throughout the world, often providing them with **advice and financial assistance.**”*

¹⁵ Mughniyah is discussed at length, *infra*, based on open source information, a confidential source and, [REDACTED]

“... Iran’s links to Hizballah, other Islamic fundamentalist groups, and the Palestinians strengthened during the year, increasing the potential that these groups will continue to use terrorism to advance their political goals... Iran continued its use of and support for terrorism in 1990, targeting and assassinating Iranian dissidents overseas... continuing to support the holders of the American and other Western hostages in Lebanon, and supporting radical Palestinian groups.”

1991 Patterns of Global Terrorism

78. Regarding **1991**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“...During 1991 Iran continued to build closer ties to Palestinian terrorist groups and Islamic militant organizations. Iran has used conferences like ‘Intifadah and the Islamic World’-held in Iran during the period 19-22 October-to maintain contact with numerous terrorist groups. Subsequent to this conference, some such groups issued threats to participants in the Middle East peace talks.”

“...Iran also continued its practice of assassinating dissidents.”

“...Iranian intelligence services continue to facilitate and conduct terrorist attacks, particularly against regime opponents living abroad. This policy is undertaken with the approval of the highest levels of the regime, although the government routinely denies involvement in assassination of dissidents or in terrorist attacks carried out by pro-Iranian groups. Iranian diplomatic and commercial facilities are reported to be used extensively in such operations. During the past year Iran has further strengthened its relationship with extremists who engage in acts of terrorism throughout the world, with special emphasis on the Palestinians. Tehran often provides these groups with advice and financial and material assistance, often via Iranian embassies.”

1992 Patterns of Global Terrorism

79. Regarding **1992**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“The Iranian regime has practiced state terrorism since it took power in 1979; it is currently the deadliest state sponsor and has achieved a worldwide reach.”

“Iran continued to be the most active of the state sponsors. Iranian agents or surrogate groups conducted over 20 attacks in 1992. Although Iran did not carry

out direct attacks on US targets in 1992, Iranian agents regularly surveilled US missions and personnel.”

“...Tehran’s leaders view terrorism as a valid tool to accomplish the regime’s political objectives, and acts of terrorism are approved at the highest level of government in Iran... Iran is also the world’s principal sponsor of extremist Islamic and Palestinian groups, providing them with funds, weapons, and training... Khartoum has become a key venue for Iranian contact with Palestinian and North African extremists of the Sunni branch of Islam.”

1993 Patterns of Global Terrorism

80. Regarding **1993**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“Iran remains the world’s most active and most dangerous state sponsor of terrorism, through its own state agents and the radical groups it supports ... Pakistan was the site of Iranian-sponsored terrorism. On 6 June, an Iranian oppositionist was shot and killed in Karachi, apparently by Iran’s intelligence service. Hizballah and Iran have provided training to the Bosnian Muslim army.”

1994 Patterns of Global Terrorism

81. Regarding **1994**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“Iran continues to use terrorism as ruthlessly as it did under Khomeini and supports groups, such as Hizballah, that pose a threat to Americans. In December, a French court handed down a decision in the trial of three Iranians accused of participating in the 1991 murder of former Iranian Prime Minister Bakhtiar and an assistant. One was sentenced to life and one to 10 years in prison, while the third, an employee of the Iranian Embassy in Bern, was acquitted.

“...Iran remains committed to carrying out the death sentence imposed on British author Salman Rushdie. Iran’s main client, Hizballah, could well have been responsible for the 18 July bombing of the Argentine-Israel Mutual Association (AMIA) that left nearly 100 persons dead. Iran supports many other radical organizations that have resorted to terrorism, such as the Palestinian Islamic Jihad (PIJ), HAMAS, and the Popular Front for the Liberation of Palestine-General Command (PFLP-GC)... Iran is still the most active state sponsor of international terrorism and continues to be directly involved in planning and executing terrorist acts ... Iran is also the world’s preeminent state sponsor of

extremist Islamic and Palestinian groups, providing funds, weapons, and training.”

1995 Patterns of Global Terrorism

82. Regarding **1995**, the U.S. Department of State’s *Patterns of Global Terrorism* stated:

“Iran continued in 1995 to be the world’s most active supporter of international terrorism. Although Tehran tried to project a moderate image in the West, it continued to assassinate dissidents abroad and maintained its support and financing of groups that pose a threat to US citizens. Iranian authorities reaffirmed the validity of the death sentence imposed on British author Salman Rushdie... Iran remains the premier state sponsor of international terrorism and is deeply involved in the planning and execution of terrorist acts both by its own agents and by surrogate groups.”

1996 Patterns of Global Terrorism

83. Regarding **1996**, the U.S. Department of State’s *Global Patterns of Terrorism* stated:

“Iran remained the premier state sponsor of terrorism in 1996. It continued to be involved in the planning and execution of terrorist acts by its own agents and by surrogates such as Lebanese Hizballah and continued to fund and train known terrorist groups.”

“Tehran conducted at least eight dissident assassinations outside Iran in 1996... Iran continued to provide support-including money, weapons, and training-to a variety of terrorist groups, such as Hizballah, HAMAS, and the Palestine Islamic Jihad (PIJ).”

“Testimony in the three-year-long trial of an Iranian and four Lebanese for the Iran-sponsored killing of Iranian Kurdish dissidents in Berlin’s Mykonos restaurant in 1992 concluded in late 1996. German authorities issued an arrest warrant in March for Ali Fallahian, Iran’s Intelligence Minister. In the fall, former Iranian President Abolhassan Bani Sadr and two other witnesses testified against Iran.¹⁶ In final statements in late November, German prosecutors charged Iranian Supreme Leader Khamenei and Iranian President

¹⁶ President Abolhassan **Banisadr** has provided sworn videotaped testimony in this case. The contents of Banisadr’s testimony are discussed in this Affidavit, *infra*. [REDACTED]

Rafsanjani with approving the operation. (Guilty verdicts for four of the accused were announced in April 1997)."

1997 Patterns of Global Terrorism

84. Regarding **1997**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

"Iran remained the most active state sponsor of terrorism in 1997. Tehran continued to be involved in the planning and execution of terrorist acts by its own agents and by surrogates such as the Lebanese Hizballah and continued to fund and train known terrorist groups throughout 1997... Tehran conducted at least 13 assassinations in 1997."

"April 1997 witnessed the conclusion of the trial in Germany of an Iranian and four Lebanese for the 1992 killing of Iranian Kurdish dissidents... A German judge found the Iranian and three of the Lebanese guilty of the murders... The court stated that the Government of Iran had followed a deliberate policy of liquidating the regime's opponents... The judge further stated that the Mykonos murders had been approved at the most senior levels of the Iranian Government by an extra-legal committee whose members included the Minister of Intelligence and Security, the Foreign Minister, the President, and the Supreme Leader."

"In the fall of 1997, Tehran hosted numerous representatives of terrorist groups—including HAMAS, Lebanese Hizballah, the PIJ, and the Egyptian al Gama'at al Islamiya—at a conference of 'Liberation Movements.' Participants reportedly discussed the jihad, establishing greater coordination between certain groups, and an increase in support for some groups."

1998 Patterns of Global Terrorism

85. Regarding **1998**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

"Iran in 1998 continued to be involved in the planning and execution of terrorist acts... Tehran continued, however, to support a variety of groups that use terrorism to pursue their goals... Iranian support for terrorism remains in place... Tehran is reported to have conducted several assassinations outside Iran during 1998."

"Iran continued to provide support to a variety of terrorist groups, including the Lebanese Hizballah, HAMAS, and the Palestinian Islamic Jihad... Iran supports these groups with varying amounts of training, money, and/or weapons."

1999 Patterns of Global Terrorism

86. Regarding **1999**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

“In Iran in 1999, the actions of certain state institutions in support of terrorist groups made Iran the most active state sponsor of terrorism. These state institutions, notably the Revolutionary Guard Corps and the Ministry of Intelligence and Security, continued to be involved in the planning and execution of terrorist acts and continued to support a variety of groups that use terrorism to pursue their goals.”

“A variety of public reports indicate Iran’s security forces conducted several bombings against Iranian dissidents abroad.”

“Iran continued encouraging Hizballah and the Palestinian rejectionist groups—including HAMAS, the Palestinian Islamic Jihad, and Ahmad Jibril’s PFLP-GC—to use violence, especially terrorist attacks, in Israel to undermine the peace process. Iran supported these groups with varying amounts of money, training and weapons... Iran also provided support to terrorist groups in North Africa and South and Central Asia, including financial assistance and training.”

2000 Patterns of Global Terrorism

87. Regarding **2000**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

“Iran remained the most active state sponsor of terrorism in 2000. Its Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) continued to be involved in the planning and the execution of terrorist acts and continued to support a variety of groups that use terrorism to pursue their goals.”

*“Iran has long provided Lebanese Hizballah and the Palestinian rejectionist groups—notably HAMAS, the Palestine Islamic Jihad, and Ahmad Jibril’s PFLP-GC—with varying amounts of **funding, safehaven, training, and weapons**... Iran continued to encourage Hizballah and the Palestinian groups **to coordinate their planning** and to escalate their activities against Israel. Iran also provided a lower level of support—including funding, training, and logistics assistance—to extremist groups in the Gulf, Africa, Turkey, and Central Asia.”*

“The Ayatollah Khomeini’s fatwa against Salman Rushdie, has not been revoked... On the anniversary of the fatwa in February, the IRGC released a

statement that the decree remains in force, and Ayatollah Yazdi, a member of the Council of Guardians, reiterated that the decree is irrevocable and, God willing, will be carried out.”

2001 Patterns of Global Terrorism

88. Regarding **2001**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

“Iran remained the most active state sponsor of terrorism in 2001. Iran’s Islamic Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) continued to be involved in the planning and support of terrorist acts and supported a variety of groups that use terrorism to pursue their goals.”¹⁷

*“Supreme Leader Khamenei continued to refer to Israel as a ‘cancerous tumor’ that must be removed. Matching their rhetoric with action, Iran continued to provide Lebanese Hizballah and the Palestinian rejectionist groups—notably HAMAS, the Palestine Islamic Jihad, and the PFLP-GS—with varying amounts of **funding, safehaven, training, and weapons**. It also encouraged Hizballah and the rejectionist Palestinian groups to coordinate their planning and to escalate their activities... In addition, Iran provided limited support to terrorist groups in the Gulf, Africa, Turkey, and Central Asia... **There are, however, reports that Arab Afghans, including al Qaeda members, used Iran as a transit route to enter and leave from Afghanistan.**”*

2002 Patterns of Global Terrorism

89. Regarding **2002**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

“Iran remained the most active state sponsor of terrorism in 2002. Its Islamic Revolutionary Guard Corps and Ministry of Intelligence and Security were involved in the planning of and support for terrorist acts and continued to exhort a variety of groups that use terrorism to pursue their goals.”

“Al-Qaeda members have found virtual safehaven there [Iran] and may even be receiving protection from elements of the Iranian Government... Iran provided Lebanese Hizballah and Palestinian rejectionist groups—notably HAMAS, the Palestine Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command—with funding, safehaven, training, and weapons... Iran

¹⁷ [REDACTED]

also provided support to extremist groups in Central Asia, Afghanistan, and Iraq with ties to al Qaeda.”

2003 Patterns of Global Terrorism

90. Regarding **2003**, the U.S. Department of State declared in its annual publication, *Global Patterns of Terrorism*, that:

“Iran remained the most active state sponsor of terrorism in 2003. Its Islamic Revolutionary Guard Corps and Ministry of Intelligence and Security were involved in the planning of and support for terrorist acts and continued to exhort a variety of groups that use terrorism to pursue their goals.”

“After the fall of the Taliban regime in Afghanistan, some al Qaeda members fled to Iran where they have found virtual safehaven. Iranian officials have acknowledged that Tehran detained [sic] al Qaeda operatives during 2003, including senior members... However, [the acknowledgement] was accompanied by a refusal to publicly identify senior members in Iranian custody on the grounds of “security.”

“Iran provided Lebanese Hizballah and Palestinian rejectionist groups—notably HAMAS, the Palestine Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command — with funding, safehaven, training, and weapons. Iran hosted a conference in August 2003 on the Palestinian intifadah, at which an Iranian official suggested that the continued success of the Palestinian resistance depended on suicide operations.”

“In a Friday Prayers sermon in Tehran in May, Guardian Council member Ayatollah Ahmad Jannati publicly encouraged Iraqis to follow the Palestinian model and participate in suicide operations against Coalition forces.”

2004 Country Reports on Terrorism

91. Regarding **2004**, the U.S. Department of State declared in its annual publication, *Country Reports on Terrorism*, that:

“Iran remained the most active state sponsor of terrorism in 2004. Its Islamic Revolutionary Guard Corps and Ministry of Intelligence and Security were involved in the planning and support of terrorist acts and continued to exhort a variety of groups to use terrorism in pursuit of their goals.”

“Iran continued to be unwilling to bring to justice senior al Qaeda members it detained in 2003. Iran has refused to identify publicly these senior members in its custody on ‘security grounds.’ Iran has also resisted numerous calls to

*transfer custody of its al Qaeda detainees to their countries of origin or third countries for interrogation and/or trial... **Iran also continued to fail to control the activities of some al Qaeda members who fled to Iran following the fall of the Taliban regime in Afghanistan.***”

2005 Country Reports on Terrorism

92. Regarding **2005**, the U.S. Department of State declared in its annual publication, *Country Reports on Terrorism*, that:

*“The **IRGC** was increasingly involved in supplying lethal assistance to Iraqi militant groups, which destabilizes Iraq... Supreme Leader Khamenei and President Ahmadi-Nejad praised Palestinian terrorist operations, and Iran provided Lebanese Hizballah and Palestinian terrorist groups—notably HAMAS, Palestinian Islamic Jihad, the al Aqsa Martyrs Brigades, and the Popular Front for the Liberation of Palestine-General Command—with **extensive funding, training, and weapons.**”*

2006 Country Reports on Terrorism

93. Regarding **2006**, the U.S. Department of State declared in its annual publication, *Country Reports on Terrorism*, that:

*“**Iran remained the most active state sponsor of terrorism, its Islamic Revolutionary Guard Corps (IRGC) and Ministry of Intelligence and Security (MOIS) were directly involved in the planning and support of terrorist acts and continued to exhort a variety of groups, especially Palestinian groups with leadership cadres in Syria and Lebanese Hizballah, to use terrorism in Pursuit of their goals.**”*

*“Iran continued to play a destabilizing role in Iraq, which appeared to be inconsistent with its stated objectives regarding stability in Iraq. **Iran provided guidance and training to select Iraqi Shia political groups, and weapons and training to Shia militant groups to enable anti-Coalition attacks.** Iranian government forces have been responsible for at least some of the increasing lethality of anti-Coalition attacks by providing Shia militants with the capability to build IEDs with explosively formed projectiles similar to those developed by Iran and Lebanese Hizballah. **The Iranian Revolutionary Guard was linked to armor-piercing explosives that resulted in the deaths of Coalition Forces.** The Revolutionary Guard, along with Lebanese Hizballah, implemented training programs for Iraqi militants in the construction and use of sophisticated IED technology. These individuals then passed on this training to additional militants in Iraq.”*

“Iran also continued to fail to control the activities of some al Qaeda members who fled to Iran following the fall of the Taliban regime in Afghanistan.”

2007 Country Reports on Terrorism

94. Regarding **2007**, the U.S. Department of State declared in its annual publication, *Country Reports on Terrorism*, that:

“Iran remained the most active state sponsor of terrorism. Elements of its Islamic Revolutionary Guard Corps (IRGC) were directly involved in the planning and support of terrorist acts throughout the region and continued to support a variety of groups in their use of terrorism to advance their common regional goals... Iran remains a threat to regional stability and U.S. interests in the Middle East because of its continued support for violent groups, such as HAMAS and Hizballah, and its efforts to undercut the democratic process in Lebanon, where it seeks to build Iran’s and Hizballah’s influence to the detriment of other Lebanese communities.”

“The Qods Force, in concert with Lebanese Hizballah, provided training outside Iraq for Iraqi militants in the construction and use of sophisticated IED technology and other advanced weaponry. These individuals then passed on this training to additional militants inside Iraq, a ‘train-the-trainer’ program. In addition, the Qods Force and Hizballah have also provided training inside Iraq.”

“Iran’s IRGC-Qods Force continued to provide weapons and financial aid to the Taliban to support anti-U.S. and anti-Coalition activity in Afghanistan... Iran remained unwilling to bring to justice senior al Qaeda members it has detained, and has refused to publicly identify those senior members in its custody... Iran also continued to fail to control the activities of some al Qaeda members who fled to Iran following the fall of the Taliban regime in Afghanistan.”

2008 Country Reports on Terrorism

95. Regarding **2008**, the U.S. Department of State declared in its annual publication, *Country Reports on Terrorism*, that:

“Iran remained the most active state sponsor of terrorism. Iran’s involvement in the planning and financial support of terrorist attacks throughout the Middle East, Europe, and Central Asia had a direct impact on international efforts to promote peace, threatened economic stability in the Gulf, and undermined the growth of democracy.”

“The Qods Force, an elite branch of the Islamic Revolutionary Guard Corps (IRGC), is the regime’s primary mechanism for cultivating and supporting terrorists abroad. The Qods Force provided aid in the form of weapons, training, and funding to HAMAS and other Palestinian terrorist groups, Lebanese Hizballah, Iraq-based militants, and Taliban fighters in Afghanistan.”

“Iran provided weapons, training, and funding to HAMAS and other Palestinian terrorist groups, including Palestine Islamic Jihad (PIJ) and the Popular Front for the Liberation of Palestine-General Command (PFLP-GC). Iran’s provision of training, weapons, and money to HAMAS since the 2006 Palestinian elections has bolstered the group’s ability to strike Israel. In 2008, Iran provided more than \$200 million in funding to Lebanese Hizballah and trained over 3,000 Hizballah fighters at camps in Iran. Since the end of the 2006 Israeli-Hizballah conflict, Iran has assisted Hizballah in rearming, in violation of UN Security Council Resolution 1701.”

“Iran’s IRGC Qods Force provided assistance to the Taliban in Afghanistan. The Qods Force provided training to the Taliban on small unit tactics, small arms, explosives, and indirect fire weapons.”

“Iranian authorities continued to provide lethal support, including weapons, training, funding, and guidance, to Iraqi militant groups that targeted Coalition and Iraqi forces and killed innocent Iraqi civilians. Iran’s Qods Force continued to provide Iraqi militants with Iranian-produced advanced rockets, sniper rifles, automatic weapons, and mortars that have killed Iraqi and Coalition Forces as well as civilians.”

“Iran also continued to fail to control the activities of some al Qaeda members who fled to Iran following the fall of the Taliban regime in Afghanistan.”

“Senior IRGC and Qods Force officials were indicted by the Government of Argentina for their alleged roles in the 1994 terrorist bombing of the Argentine Israel Mutual Association which, according to the Argentine State Prosecutor’s report, was initially proposed by the Qods Force.”

U.S. Secretary of State

96. On December 11, 2009,¹⁸ the United States Secretary of State, Hillary Clinton, stated that Iran and its Revolutionary Guard were *“the major supporter, promoter, and exporter of terrorism in the world.”* On February 15, 2010, Secretary of State Clinton stated that the Revolutionary Guard *“is increasing its control over the*

¹⁸ The US State Department has not issued the 2009 edition of *Country Reports on Terrorism* which is to be released in April 2010.

country [and] is deeply involved in the economy as well as security issues of Iran.”

Secretary Clinton noted that Iran’s IRGC appears to have gained so much power that it is effectively supplanting the government.

VII. Congressional Pronouncements

2005-2008: Congressional Research Service

97. An August 2005 Congressional Research Service (CRS) Report for Congress named **three senior al Qaeda figures — spokesman Suleiman Abu Ghaith, military operations planner Saif al Adl, and bin Laden’s son Sa’ad — who were believed to be in Iran.** CRS wrote that Iran acknowledged publicly that it had some al Qaeda figures “*in custody,*” but refused to transfer them to their countries of origin for interrogation and trial. Expressing the skepticism that characterized most U.S. official statements on the issue, CRS openly questioned the degree of constraint, if any, that Iran placed on al Qaeda and added that ***“the Bush Administration has publicly alleged that the three were responsible for planning the May 2003 suicide attacks on a housing complex in Riyadh, Saudi Arabia. If true, this would suggest that the three are in contact with Al-Qaeda operatives outside Iran. Some might argue that, if these three senior figures are able to communicate with bin Laden and al Zawahiri, a major portion of the core of the al Qaeda leadership as it existed on September 11, 2001 is still operating and possibly in control of ongoing operations.”***

98. **On July 31, 2008,** the Congressional Research Service issued *Suits Against Terrorist States by Victims of Terrorism* in which it itemized and discussed forty-five (45) separate and distinct cases where the federal courts have issued judgments against The Islamic Republic of Iran for acts of violence including hundreds of fatalities against American citizens.

2005: Congressional Hearing

99. In his February 2005 testimony before the House Committee on International Relations, Matthew Levitt, a terrorism expert, also **linked Sa’ad bin Laden, Saif al Adl, and other al Qaeda operatives living in Iran just before or after the 9/11 attacks to the May 2003 bombings in Riyadh.** In addition to that attack, Levitt testified that *“there were apparently al Qaeda plots to assassinate members of the Saudi royal family, at least two plots targeting Saudi ministries, and now it has been discovered – in the safe houses in Saudi Arabia – that they were using the country as a base to plot many more attacks.”* Indeed, by 2002 intelligence reports had emerged that Iran was providing safe haven to senior al Qaeda fugitives who head the group's military committee, as well as to dozens of other al Qaeda personnel.

XIII. Judicial Opinion

100. **On September 30, 2009,** The Honorable Royce C. Lamberth, Chief Judge of the United States District Court, Washington, D.C., issued an Opinion in *In Re: Islamic Republic of Iran Terrorism Litigation* in which the Judge stated the federal courts *“have chronicled the senseless violence and carnage that have dotted the last three decades of hostile relations between the **Islamic Republic of Iran** and the United States. These terrorism cases are the tragic stories of the many victims — like the more than one thousand victims represented here today — who have suffered dearly as a result of a campaign of terror that has included hostage takings, torture, suicide bombings, and assassinations.”*

IX. 9/11 Commission Report

Credibility of 9/11 Commission Findings

101. In our expert opinion, the 9/11 Commission Report represents an invaluable resource because it provides a set of judgments in an unclassified format **but based on a**

massive set of classified intelligence reporting. The End Notes for the 9/11 Commission Report run to well over 100 pages and reflect, in entry after entry, the reams of material to which **the Commissioners were given special access by the Intelligence Community.** Thus, even though the 9/11 Commission Report is presented without the specifics of classified material, we consider its findings to be valid because we know them to be based on classified material.

***9/11 Commission Staff Discovered a Cache of NSA Documents
Detailing Connections among al Qaeda, Iran, and Hizballah***

102. At nearly the last minute before publication of The 9/11 Commission Report in July 2004, Commission staff member Lorry Fenner discovered file cabinets full of thousands of hard-copy documents at the Fort Meade headquarters of the National Security Agency (NSA).¹⁹ Fenner and fellow Commission staff member and CIA veteran Lloyd Salvetti reviewed them and **found extensive files that referred to the relationship between al Qaeda and Iran** and between Usama bin Laden and the **Iranian-backed terrorist group Hizballah.** The late discovery on the eve of publication explains the brief description in the 9/11 Commission Report of the “*material support*” provided to al Qaeda by Iran. The Commission acknowledges the need for continued investigation by stating: “*We [the Commissioners] believe this topic [Iranian involvement in 9/11] requires further investigation by the United States Government.*” [p. 241.] No such investigation has ever been undertaken by any branch of the U.S. Government in the five and a half years since the publication of the 9/11 Commission Report in July 2004.

¹⁹ Philip Shenon, an investigative reporter for the *New York Times*, details the discovery in his book, “*The Commission*” published by Twelve Publishers in 2008. The *Havlish* attorneys became aware, independently, of the late discovery of the NSA documents in September 2004.

103. The belatedly discovered NSA files included **electronic intercept reports**²⁰ and were described as “*a gold mine, full of critical information about al Qaeda and other terrorist groups dating back to the early 1990s;*” according to Salvetti, “*You come away with the inference that there was an implicit collaboration between the jihadists and elements of Hizballah and Iran...*”²¹

“Assistance From Hizballah and Iran to al Qaeda”

104. The 9/11 Commission Report makes findings, in a section entitled “*Assistance from Hizballah and Iran to al Qaeda*”²² the most startling of which are (a) Iran and al Qaeda reached an informal agreement to attack the United States as early as 1990-1991, with Iran providing support; (b) Iran/Hizballah “*maintained contacts*” with al Qaeda while it was based in Sudan, 1991-1996, and there was a “*persistence of contacts*” between Iranian security officials and senior al Qaeda figures when bin Laden was in Afghanistan in 1996 to 2001; (c) Iran/Hizballah provided al Qaeda, from 1990-1991 to September 11, 2001, with “*training,*” “*training in explosives,*” “*intelligence,*” “*security,*” “*advice,*” “*travel... passport*” assistance, “*access into or out of Iran,*” personnel “*to coordinate activities there,*” (referring to Saudi Arabia eleven months before the September 11, 2001 attack), and personnel “*to assist individuals in Saudi Arabia traveling to Iran*” ten months before the attack; and, (d) “*evidence suggest[s] that eight to ten of the fourteen Saudi muscle operatives traveled into or out of Iran*” as recently as seven months (February 2001) before the 9/11 attack.

²⁰ Electronic intercept reporting from NSA is considered the gold standard for information within the Intelligence Community because its verbatim nature is less susceptible to subjective interpretation compared to other, less direct categories of reporting, such as human intelligence (or HUMINT), which must always be considered in light of the potential for distortion, embellishment, or fabrication.

²¹ Shenon, *The Commission*, op. cit., pp.155-57.

²² See Chapter 7 entitled “*The Attack Looms*” found on pp. 240-241, inclusive of footnotes 121 and 128.

105. The findings of the 9/11 Commission requires context in order to understand references to “*travel*,” “*passports*,” and “*a senior Hizballah operative*.” Much of the organizational and planning activity for the 9/11 attacks occurred in Afghanistan: “*By the time operatives [hijackers] for the planes’ operation were picked in mid-2000... some of them had been training in Afghanistan for months, others were just arriving for the first time, and still others may have been returning after visits to the camps... bin Laden would travel to the camps to deliver lectures and meet the trainees personally.*” 9/11 Commission Report at p. 235.

106. The 9/11 Commission Report states “*the muscle hijacker recruits [were sent] to Saudi Arabia to obtain United States visas... and were instructed to return to Afghanistan for more training **after obtaining their visas**... the majority of the Saudi muscle hijackers obtained United States visas in Jeddah or Riyadh between September and November 2000,*” 9/11 Commission Report at p. 235. The 9/11 Commission further states “*having acquired United States visas in Saudi Arabia, the muscle hijackers returned to Afghanistan for special training in late 2000 and 2001.*” There, the young Saudi terrorists were taught: “*how to conduct hijackings, disarm air marshals and handle explosives...[trained] in bodybuilding and provided them with a few basic English words and phrases... even had to butcher a sheep and a camel with a knife to prepare to use knives during the hijackings. The recruits learned to focus on storming the cockpit at the earliest opportunity when the door first opens...*”

107. As experts, we conclude the **travel** and **passage assistance** provided by Iran/Hizballah to al Qaeda through a “*senior Hizballah operative*” and “*top commander*” was an indispensable aspect of the 9/11 plot which enabled **two essential aspects of September 11, 2001 to succeed:** (a) **training** in Afghanistan and (b) **entry access** to the United States after the acquisition of their visas in Saudi Arabia.

Verbatim 9/11 Commission Findings and Expert Comments

108. In July 2004, the 9/11 Commission Report stated the following:

- *“In late 1991 or 1992, discussions in Sudan **between al Qaeda and Iranian operatives** lead to an informal agreement to cooperate in providing support, even if only training, for actions carried out primarily against Israel and the United States.”* 9/11 Commission Report, p. 61 (emphasis here, and in the subsequent passages in this section, added by the Affiants).

Expert Comment: This finding comports and agrees with our separate research and knowledge as stated elsewhere in this Affidavit. It is important to note the agreement for training was focused on actions against the United States which eventually occurred, among other times, at Riyadh (1995), Khobar Towers (1996), the simultaneous U.S. Embassy bombings in East Africa (1998), the attack on the USS Cole (2000), and, finally, September 11, 2001.

109. In July 2004, the 9/11 Commission Report stated the following:

- *“Not long afterward, senior al Qaeda operatives and trainers traveled to Iran to receive training in explosives. In the fall of 1993, another such delegation went to the Bekaa Valley in Lebanon for further training in explosives as well as intelligence and security.”* 9/11 Commission Report, p. 61.

Expert Comment: This finding comports and agrees with our separate research and knowledge of the stated facts. It is important to note the support occurred in Iran and Lebanon which provided “*training in explosives*” and two other important aspects of a successful terrorist operation, “*intelligence and security.*”

110. In July 2004, the 9/11 Commission Report stated the following:

- *“bin Laden reportedly showed particular interest in learning how to use truck bombs such as the one that killed 241 U.S. Marines in Lebanon in 1983. **The relationship between al Qaeda and Iran demonstrated that Sunni-Shia divisions did not necessarily pose an insurmountable barrier to cooperation in terrorist operations... al Qaeda contacts with Iran continued in ensuing years.**”* 9/11 Commission Report, p. 61.

Expert Comment: This finding comports and agrees with our separate research and knowledge of the stated facts. The training regarding the use of truck bombs was quickly put to use; *i.e.*, the Riyadh bombing in 1995, likewise, the Khobar Towers in 1996 and the U.S. Embassy bombings in East Africa in 1998 **all** used truck bombs.

111. In July 2004, the 9/11 Commission further stated the following:

- “...while in Sudan [1991-1996], senior managers in ***al Qaeda maintained contacts with Iran and the Iranian-supported worldwide terrorist organization Hizballah***, which is based mainly in southern Lebanon and Beirut. ***Al Qaeda members received advice and training from Hizballah.***” 9/11 Commission Report, p. 240.

Expert Comment: This finding comports and agrees with our separate research and knowledge of the stated facts. It is important to note that the advice and training were received not only “while in Sudan,” 1991-1996, but also continued thereafter while in Afghanistan, 1996-2001. In fact, al Qaeda-Iran contacts continued uninterrupted throughout the 18 years, 1991-2009.

112. In July 2004, the 9/11 Commission further stated the following:

- “Intelligence indicates the ***persistence of contacts between Iranian security officials and senior al Qaeda figures after bin Laden’s return to Afghanistan [1996]***. [A detainee] *has said that Iran made a concerted effort to strengthen relations with al Qaeda after the October 2000 attack on the U.S.S. Cole, but was rebuffed because bin Laden did not want to alienate his supporters in Saudi Arabia. [Detainees] have described the willingness of Iranian officials to facilitate the travel of al Qaeda members through Iran, on their way to and from Afghanistan.*” 9/11 Commission Report, p. 240.

Expert Comment: This finding comports and agrees with our separate research and knowledge of the stated facts. It is unclear what is meant, if anything, by the detainee’s reference “to *strengthen relations*” but it is certainly an acknowledgement of such relations having already existed and these relations continued after September 11, 2001, as demonstrated by joint attacks in such places as Tunisia (2002), Casablanca, Morocco (2003), Istanbul, Turkey (2003), and many others. Likewise, it is not clear what the detainee intended to communicate in saying that

the effort was “*rebuffed*” since, as noted, the Sunni-Shia animosities had been reconciled for purposes of joint terrorist operations since meetings in Sudan in 1991. Finally, the Iranian willingness to facilitate Saudi’s travel through Iran for training in Afghanistan, *infra*, was an indispensable part of the September 11 plot. The success of the September 11 conspiracy depended on the ability of the hijackers to obtain U.S. visas and pass U.S. immigration and customs inspection in order to enter the United States. By using travel facilitators, Iran aided and abetted al Qaeda’s successful acquisition of passports (Saudi) and visas (U.S.) and entry into U.S. territory.

113. In July 2004, the 9/11 Commission further stated the following:

- *“Iranian border inspectors would be told not to place telltale stamps in the passports of these [al Qaeda] travelers. Such arrangements were particularly beneficial to the Saudi members of al Qaeda... [We] now have evidence suggesting that eight to ten of the fourteen Saudi “muscle” operatives traveled into or out of Iran between October 2000 and February 2001.”* 9/11 Commission Report, p. 240.

Expert Comment: Importantly, it is during this time (October 2000-February 2001) that the Saudi hijackers needed passports and visas to enter the United States and therefore traveled from Iran to Saudi Arabia to acquire the documents by way of Tehran and its allied city, Beirut. Conversely, if the Iranians had stamped the Saudi passports, the hijackers’ entry into the United States would have become virtually impossible. With no Iranian or Afghanistan passport stamp, the terrorists appeared to be young Saudi citizens interested in travel, vacation or academic pursuits.

Senior Hizballah Operative: Imad Mughniyah

114. In July, 2004 the 9/11 Commission remarks:

- *“In October 2000, a senior operative of Hizballah visited Saudi Arabia TO COORDINATE ACTIVITIES THERE. He also planned TO ASSIST individuals in Saudi Arabia in traveling to Iran in November [2000]. A top*

Hizballah commander and Saudi Hizballah contacts were involved.” 9/11 Commission Report, p. 240.

Expert Comment: The 9/11 Commission does not identify **Imad Mughniyah**, the most accomplished and notorious terrorist in the world from 1983 to his assassination in February 2008, as the “*senior operative of Hizballah*” and “*top Hizballah commander.*” [REDACTED]

[REDACTED] While the 9/11 Commission does not explain the nature, extent, or purpose of the activities that required **coordination**, clearly, the necessity for passports and visas and the concomitant need to return to Afghanistan via Iran and Beirut for **training** is what required **coordination** and **assistance**. It is also very likely that Mughniyah’s coordination of activities included maintaining the security of the hijackers who were, by this time, embarked on a world-shaking top secret mission.

115. In July 2004, the 9/11 Commission further stated the following:

- “*Also in October 2000, two future muscle hijackers, Mohand al Shehri and Hamza al Ghamdi, flew **from Iran** to Kuwait. In November, Ahmed al Ghamdi apparently flew to Beirut, traveling—perhaps by coincidence—on the same flight as a senior Hizballah operative. Also in November [2000] Salem al Hazmi apparently flew from Saudi Arabia to Beirut.*” 9/11 Commission Report, p. 240.

Expert Comment: Again, the “senior Hizballah operative” is Mughniyah. Based upon our experience, it is our expert opinion there is **no coincidence** involving the occurrence of the hijacker, Ahmed al Ghamdi, on the same flight as the senior Hizballah operative. As noted by the 9/11 Commission, their classified documents demonstrates “*evidence*” of the hijackers traveling into and out of Iran during this time including evidence of a Hizballah operative coordinating activities in Saudi Arabia. Stated otherwise, if a (1) “*senior operative of Hizballah* (2) *planned* (3) *to assist individuals* (4) *in Saudi Arabia* (5) *in traveling* (6) *to Iran* (7) *in November 2000*” we find **no coincidence** that Ahmed al Ghamdi (1) “*in November*” (2) “*flew*

from Saudi Arabia” (3) “to Beirut” (4) “on the same flight” (5) “as a senior Hizballah operative.” These travel arrangements were **by design**, not coincidence. The great care and enormous resources expended by al Qaeda to ensure successful international travel is detailed in *“Terrorist Travel, a Staff Report”* (2004) which is a companion staff monograph to the 9/11 Commission Report. Travel by al Qaeda was (and remains) a highly calculated and disciplined process. *“Members of al Qaeda clearly valued freedom of movement as critical to their ability to plan and carry out attacks prior to [and on] September 11... What distinguished al Qaeda’s tactics was its heavy reliance on travel facilitators and document forgers, as well as its ability to adapt its techniques to defeat screening mechanisms, such as visa issuance systems.”* Terrorist Travel, *Staff Report*, pp. 59-60 (emphasis added). Simply stated, the senior Hizballah operative was engaged in a vital role: travel facilitator.

Facilitating Travel

116. In July 2004, the 9/11 Commission Report detailed further facilitation of travel when noting:

- *“In mid-November, [2000] we believe, three of the future muscle hijackers, Wail al Shehri, Waleed al Shehri, and Ahmed al Nami, **all of whom had obtained their United States visas in late October**, traveled in a group from Saudi Arabia to Beirut and the **onward to Iran. An associate of a senior Hizballah operative** [Mughniyah] was on the same flight that took **the future hijackers to Iran.**”* 9/11 Commission Report, p. 240.

Expert Comment: Just as it was no coincidence that Ahmed al Ghamdi flew to Beirut on the same flight as “a senior Hizballah operative” it is no coincidence that “**an associate of a senior Hizballah operative**” was on the same flight from Saudi Arabia to Beirut/Iran with three other hijackers, Wail al Shehri, Waleed al Shehri, and Ahmed al Nami. Two separate flights are involved with two Hizballah operatives, each time *assisting* their young Saudi hijackers to Beirut/Iran and then to Afghanistan. The trips were mirror images of one another: each trip had

an escort or travel “*facilitator*” from **Hizballah**; each trip involved **travel** from **Saudi Arabia** to **Beirut/Iran**; each trip occurred as anticipated and planned in **November** after acquisition of a new Saudi passport and U.S. visas.

117. In July 2004, the 9/11 Commission further stated the following:

- “***Hizballah officials in Beirut and Iran were expecting the arrival of a group during the same time period. The travel of this group was important enough to merit the attention of senior figures in Hizballah.***” 9/11 Commission Report, p. 240.

Expert Comment: The group of three other hijackers, Wail al Shehri, Waleed al Shehri, and Ahmed al Nami, was certainly important enough to “*merit the attention*” since, by definition, the senior figures in Hizballah/Iran knew the purpose of their travel to Saudi Arabia (passport and visa acquisition) and the necessity of their return to Afghanistan via Beirut/Iran for further training. It makes no sense in the Intelligence Community for **senior figures** of Hizballah to be carefully monitoring the travels of three otherwise nondescript Saudi citizens unless, of course, they were engaged in preparatory acts of terrorism. The **expectation** of the young Saudis’ arrival and the **attention of senior Hizballah figures in both Iran and Beirut** eliminates any element of chance. Terror operations are, and must be, highly disciplined and highly organized. It would be totally shocking if the young hijackers were not escorted and monitored; travel facilitators are a common, indeed necessary, factor of terrorist travel. The extraordinary planning of the 9/11 attack, years in the planning, affirms our conviction. Therefore, if the Hizballah operatives were responsible to **coordinate and assist** “*individuals*” in their travel to Beirut/Iran, we can rule out coincidence altogether.

118. In July 2004, the 9/11 Commission further stated the following:

- “*Later in November [2000] two future muscle hijackers, Satam al Suqami and Majed Moqed flew into Iran from Bahrain. In February 2001, Khalid al Mihdhar [another 9/11 terrorist] may have taken a flight from Syria to Iran,*

and traveled further within Iran to a point near the Afghan border.” 9/11 Commission Report, pp. 240-241.

Expert Comment: As noted elsewhere in the 9/11 Commission Report, the hijackers had acquired their visas by November 2000 which, as experts, we believe is due to the direct assistance of Iran and Hizballah. It is significant to note that Khalid al Mihdhar was pinpointed to have traveled to a point near the Afghan border since, as we have stated, the young Saudi terrorists were returning to Afghanistan for continued training.

119. In July 2004, the 9/11 Commission further stated the following:

- “[Detainees] **have confirmed** that several of the 9/11 hijackers (at least eight...) **transited Iran** on their way to and from Afghanistan, taking advantage of the **Iranian practice** of not stamping Saudi passports. They deny any other reason for the hijackers’ travel to Iran. They also deny any relationship between the hijackers and Hizballah.” 9/11 Commission Report, p. 241.

Expert Comment: Again, the need to travel to and from Afghanistan for training was of paramount importance especially after successfully acquiring their new Saudi passports and U.S. visas to enter the United States. The detainees denying “*any other reasons*” is both expected and transparently false; it should not be credited whatsoever. Indeed, while al Qaeda did not hesitate to take credit for 9/11, the supporting hands of Iran and Hizballah were always supposed to remain hidden. Iran provided “*cover*,” that is, no passport markings or trails of two high risk terror states, Iran and Afghanistan. Moreover, it is patently false that the hijackers, as members of al Qaeda had no relationship with Hizballah as explained throughout this Affidavit.

9/11 Commission Conclusion

120. In July 2004, the 9/11 Commission finally concluded as follows:

- “In sum, there is **strong evidence that Iran facilitated** the transit of al Qaeda members into and out of Afghanistan **before 9/11**, and that some of these were future 9/11 hijackers. There also is **circumstantial evidence that senior Hizballah operatives were closely tracking the travel** of some of these future

muscle hijackers into Iran in November 2000. However, we cannot rule out the possibility of a remarkable coincidence—that is, that Hizballah was actually focusing on some other group of individuals traveling from Saudi Arabia during the same time frame, rather than future hijackers.” 9/11 Commission Report, p. 241.

Expert Comment: As experts we conclude the statement, “*the possibility of a remarkable coincidence,*” is confusing, if not misleading, inasmuch as prior statements of the Commission reference “*evidence*”, “*strong evidence,*” and “*circumstantial evidence.*” We wish to note that it is axiomatic in the Intelligence Community that the absence of absolute, positive eye witness evidence is not the same as evidence of absence. **Because** a senior Hizballah operative went to Saudi Arabia “*to coordinate activities there*” and “*to assist,*” and **because** senior Hizballah operatives were “*closely tracking the travel of some of these future muscle hijackers,*” and **because** Iran/Hizballah officials “*wished to conceal any past evidence of cooperation with Sunni terrorists associated with al Qaeda*”, see *infra*, we find no possibility of coincidence, remarkable or otherwise, that the hijackers and Hizballah personnel traveled together. In our expert opinion, we find a design, a plan involving high level cooperation on an important aspect of the September 11, 2001 plot. With respect, we find the gratuitous statement of “*the possibility of a remarkable coincidence*” patently absurd especially after proposing another “*coincidence,*” above, regarding the al Ghamdi trip. The likelihood of the two coincidences, as tentatively suggested in the 9/11 Commission Report, is, under these facts, nil.

121. In July 2004, the 9/11 Commission further concluded as follows:

- “*We have found no evidence that Iran or Hizballah was **aware of the planning** for what later became the 9/11 attack. At the time of their travel through Iran, the al Qaeda operatives themselves were probably not aware of the **specific details** of their future operation.*”

Expert Comment: In our expertise, the fact that the Commission “found no evidence” does not mean there is no evidence to be found. Importantly, the discovery of the NSA intercepts

occurred only days before publication of the Report and there was insufficient time to review the files thoroughly. Also, it is entirely unclear what is meant by the phrase “*aware of the planning.*” Further, not knowing or being “*not aware*” of the “*specific details*” should not be confused with a general knowledge of purpose. Terrorists and/or their state sponsors often compartmentalize knowledge of operational details and, thus, can engage in necessary training and travel facilitation without detailed knowledge of the “*specific details*” of the date, time and place of their upcoming terrorist attack. The 9/11 Commission Report notes that, by the time hijackers were in the United States in the summer of 2001, they were aware of the details of their mission. Accordingly, this statement raises more questions than answers. For instance, Hizballah/Iran may be “*aware*” but not part “*of the planning.*” Indeed, the 9/11 Commission Report even states that well-traveled al Qaeda musclemen were “*probably not*” (but may have been) aware of the “*specific details.*” Certainly, they were aware of the general details given their airplane hijacking training and the butchering of sheep and camels in Afghanistan. Plainly speaking, it appears the 9/11 Commission Report chose not to delve into a highly charged statement of Iranian/Hizballah material support given its potential international implications but instead passed that responsibility on to “*further investigation*” by the United States Government.

122. In July 2004, the 9/11 Commission further concluded as follows:

- “*After 9/11, Iran and Hizballah wished to conceal any past evidence of cooperation with Sunni terrorists associated with al Qaeda. A senior Hizballah official disclaimed any Hizballah involvement in 9/11.*” 9/11 Commission Report, p. 241.

Expert Comment: This is actually an inculpatory finding by the 9/11 Commission. Concealing any past evidence of cooperation with al Qaeda was an effort by Iranian/Hizballah authorities to distance themselves and their participation from the events of September 11. Surely no 9/11 Commission Member or staff investigator expected any admissions from Iran or Hizballah.

123. In July 2004, the 9/11 Commission further concluded as follows:

- “We [the 9/11 Commission] *believe this topic* [Iran/al Qaeda complicity] *requires **further investigation*** by the US government.” 9/11 Commission Report, p. 241.

Expert Comment: The Executive Director of the 9/11 Commission, Philip Zelikow, noted in an e-mail dated March 14, 2007 to *New York Times* reporter Philip Shenon regarding Iranian involvement in 9/11: *“In effect, all we could do was present a set of questions that only the US government could answer, with further work, and ask the government to do that work... I never felt complacent, and remain ready to believe someone may, in the future, find evidence we missed or didn’t know about.”*

Email from Philip Zelikow to Philip Shenon at pp. 57-58 (March 14, 2007), available at <http://www.philipshenon.com/pdf/zelikowemail.pdf>.

124. Despite the lack of time to provide a full and public analysis of the Iranian/Hizballah-al Qaeda complicity because of the late discovery of the NSA material, the 9/11 Commission nevertheless classified the newly discovered documents detailing their relationships and involvement in the events of 9/11.²³

125. We conclude, as Intelligence experts, that Iran/Hizballah was aware of the planning for what later became the 9/11 attack. Specifically, our opinion is based: (i) upon the foregoing findings of the 9/11 Commission and common sense in their interpretation, and (ii) the ensuing paragraphs detailing the close operational links between Iran/Hizballah and al Qaeda.

████████████████████ Again, we note that the 9/11 Commission stated: *“After 9/11, Iran and Hizballah wish to conceal any past evidence of cooperation with Sunni terrorists associated with al Qaeda.”*

²³ As noted previously, the *Havlish* attorneys have been denied access to the documents by the Central Intelligence Agency after a FOIA request.

X. Chronological Information Independent of the 9/11 Commission Report

1980's: Usama bin Laden, Gulbuddin Hekmatyar, and Iran: The War Against The Soviet Union

126. Based upon our research and knowledge, **Usama bin Laden** and a fellow Sunni terrorist, **Gulbuddin Hekmatyar, an Iranian ally** and Afghan warlord, became personally close in Khost Province, Afghanistan, as well as Waziristan and Peshawar, Pakistan, during the 1980s war against the Soviet Union (USSR). The relationship is important because it has endured to the present day and provides an early and important personal link between **Usama bin Laden and Iran going back to the 1980's.**²⁴ Although the mercurial Hekmatyar changes alliances on a regular basis, his relationships with Usama bin Laden/al Qaeda and Iran have remained a constant, as has his commitment to ousting every trace of a foreign, non-Muslim presence from Afghanistan. Along with the Taliban and the Haqqani network, run by Jalaluddin Haqqani and his son, Sirajuddin, the Hekmatyar network is one of the top three most powerful forces in southern and eastern Afghanistan.

127. The CIA channeled hundreds of millions of dollars to the Afghan war effort in the 1980's through Hizb-i Islami Gulbuddin (HIG), the *mujahedeen* group founded and led by Gulbuddin Hekmatyar, during the **war against the USSR**. During the same time, Iran's revolutionary regime under the Ayatollah Khomeini established friendly ties with Hekmatyar and HIG as well as with the Afghan warlord, Ahmad Shah Massoud. Hekmatyar's HIG opened offices **in Tehran** in the early 1980's.

²⁴ The birth of al al Qaeda is traced to August 11-20, 1988 by Sheikh Abdullah Azzam, a Palestinian Islamic fundamentalist in Jordan's Muslim Brotherhood, and Usama bin Laden who jointly founded the "*Maktab al Khidamat*" ("Service Offices") in 1984 in Afghanistan. The organization later became al al Qaeda ("The Base"). The purpose of the organization was to recruit Arabs and Sunni Muslims to fight the Soviets in Afghanistan. Later, the United States and Muslim regimes aligned with the U.S. became the focus of al Qaeda terror attacks.

128. Later, after the Soviet war, Hekmatyar fought with the Taliban in the early 1990s and served twice as Prime Minister in Taliban administrations. In 1996, when the Taliban removed Hekmatyar, Iran welcomed him based on links forged in the 1980s; Hekmatyar then went into a **six-year exile in Iran**, where he lived in a villa in northern Tehran until 2002.²⁵

Hekmatyar Provides Safe Haven to al Qaeda

129. As will be detailed below, Hekmatyar provided critical assistance to al Qaeda fighters fleeing the battles of Tora Bora in Afghanistan at the end of the U.S. invasion of Afghanistan in the wake of the 9/11 attacks. While living on the Iranian side of the border, Hekmatyar used his relationship with the Iranian regime to **facilitate the passage of hundreds of al Qaeda terrorists into Iranian territory where many were granted long-term safe haven**. Hekmatyar eventually left Iran and returned to his stronghold compound in Peshawar, Pakistan on 26 February 2002.

Specially Designated Global Terrorist

130. Upon Hekmatyar's return to Peshawar from Iran in 2002, **Hekmatyar openly rejoined forces with bin Laden and al Qaeda**. In February, 2003, Hekmatyar, an ally of both Iran and al Qaeda, was designated by the U.S. as a "Specially Designated Global Terrorist" under the authority of Executive Order 13224 for his past support to al Qaeda. That designation cited information that Hekmatyar had participated in and supported terrorist acts committed by al Qaeda and the Taliban. Pursuant to U.N. Resolution 1267 (1999), the United Nations Sanctions Committee also included Hekmatyar on its consolidated list of entities and individuals associated

²⁵ In late 2000-early 2001, the Pakistani Army's Directorate for Inter-Services Intelligence reportedly a personal meeting in Peshawar, Pakistan between Afghan warlord **Gulbuddin Hekmatyar and Usama bin Laden**. The purpose of the meeting was to discuss Hekmatyar's desire to return from exile in Iran to an official posting in the Taliban government in Kabul. Hekmatyar sought Bin Ladin's intercession with the Taliban. The discussions were unsuccessful, however, and Hekmatyar was forced to return to Iran, where he remained until early 2002.

with Usama bin Laden, al Qaeda, and the Taliban, which obligated all U.N. Member States to impose sanctions, including assets freezes, under UN Security Council Resolutions 1267, 1390, and 1455. The Iranian regime has refused to take any action against Hekmatyar.

Jihad Summit

1991-92: The Origins of the Usama bin Laden and Ayman al Zawahiri Relationship with Iran, Hizballah, and Imad Mughniyah

131. Based upon our research and knowledge, independent of the 9/11 Commission Report's statements of fact, beginning in the early 1990s, the government of Sudan actively fostered networking among a host of international terrorist figures and groups. **In Sudan, Usama bin Laden and al Qaeda forged alliances with representatives of the government of Iran and its associated terrorist group, Hizballah, for the purpose of working together against their perceived common enemies in the West, particularly the United States.** Sudan's role of facilitator, or "social broker," as termed within the Intelligence Community, was critically important at this juncture for both al Qaeda and Iran. The fighters, Arab and otherwise, who, during the war against the Soviet Union, had coalesced around Usama bin Laden, his Palestinian godfather/mentor Abdullah Azzam, and Ayman al Zawahiri, were leaving Afghanistan by the early 1990s, highly energized because of their perceived victory, and looking for the next battlefield on which to confront the remaining global superpower: the United States of America. Sudan provided the venue, the ideological motivation, and the revolutionary credentials that drew them all back together in common purpose once again.

1991: Hassan al Turabi Bridges the Sunni-Shi'a Divide

132. Hassan Abdallah Dafa'allah **al Turabi**, the founder of the Sudanese political party, the National Islamic Front (NIF), established an association with the Muslim Brotherhood in 1987

and, thereafter, cultivated additional links with other Middle Eastern terrorist groups, such as those affiliated with the Palestine Liberation Organization (PLO). Under the leadership of al Turabi, Sudan hosted the first Popular Arab and Islamic Congress (PAIC) on April 25-28, 1991, a conclave of 300 Sudanese and 200 delegates from 45 countries. One intelligence analyst noted that, like the great *haubs* (sandstorms) that periodically engulf Khartoum, many Islamists, mullahs, and terrorists from the Muslim world made their way to the capital of the Sudan and the office of Hasan al Turabi. In his role as a great pan-Islamic unifier, al Turabi is considered a godfather of Sunni-Shi'a cooperation.

133. Demonstrating an easy disregard for the historic bitterness between the rival Muslim Sunni-Shi'a sects, al Turabi (Sunni) also established close ties to the **Iranian intelligence** and political leadership (Shi'a) which had taken power in Ayatollah Khomeini's 1979 revolution. This relationship quickly grew to include cooperation in paramilitary and intelligence fields. By 1991, when al Turabi invited Usama bin Laden and several hundred of his Afghan fighters to move to Sudan, this terror network was well-established.

134. Once bin Laden was satisfied that the offer of sanctuary was genuine, he moved to Sudan with his own family and several hundred of his Afghan Arab veterans and their families. Usama bin Laden subsequently took one of al Turabi's nieces as his third wife. Within the Islamic world, marriages like this one are significant: this is the way that Muslim families, clans, and tribes have forged political alliances for centuries. That bin Laden would do so with the Sudanese branch of the Arab people carries meaning — he was establishing yet another link in a common front in the Jihad Wars to come.

1991: Iran Visits Usama bin Laden in Sudan

135. Credible reporting from various sources indicates that meetings held in late 1991 in Sudan between al Qaeda and Iranian figures led to an informal agreement to cooperate in providing training and support for terrorist attacks to be carried out primarily against Israel and the United States. On one of these occasions, bin Laden met directly with **Shaykh Nomani**, a **senior Iranian official in Khartoum**. The meeting was arranged by Ahmad Abd al Rahman Hamadabi, a Sudanese Sunni scholar with close ties to al Turabi.

136. In December 1991, as bin Laden was resettling in Sudan from Saudi Arabia, Iranian President Ali Akbar Hashemi **Rafsanjani** paid an official visit to Sudan together with the Intelligence Minister Ali **Fallahian**, the Islamic Revolutionary Guards Corps (IRGC) Commander **Mohsen Rezai**, and Defense Minister **Ali Akbar Torkan**. Agreements were reached between the Iranians and their Sudanese hosts for weapons shipments, as well as the dispatch to Sudan of between 1,000-2,000 Revolutionary Guards. Credible sources report that Imad Mughniyah attended the Khartoum meetings.

Usama bin Laden Meets Imad Mughniyah

137. Based upon our research and knowledge, in 1993, **Usama bin Laden** also reportedly met directly with **Imad Mughniyah** in both Iran and Sudan. Mughniyah was the director of Hizballah's global terrorist operations conducted on behalf of Iran and readily provided instructors to train al Qaeda in the Sudan.

138. Key testimony on the relationship between **bin Laden** and **Mughniyah** was provided by Ali Mohamed, bin Laden's former security chief. Ali Mohamed had provided guidance and training to extremists at the Farouq Mosque in Brooklyn, including some who were subsequently convicted in the February 1993 attack on the World Trade Center. Arrested in the

aftermath of the 1998 East Africa Embassy bombings, Mohammad alleged in sworn court testimony that he arranged security for a meeting in Sudan between Imad Mughniyah and bin Laden. According to Jack Cloonan, the former FBI counterterrorism official who debriefed Mohamed, the informant told him that bin Laden had made the first move when he personally instructed Mohamed to reach out to Mughniyah, then hiding out in Lebanon's Bekaa Valley. It was after Mohamed had done so that a deal was reached for Hizballah to provide explosives training for both al Qaeda and Egyptian Islamic Jihad terrorists and deliver Iranian-supplied Zodiac boats and bombs to bin Laden's men as well as weapons for Egyptian Jihad. Mohamed testified that much of this type of training is actually carried out at a training camp there, in Iran, run by the Iranian Ministry of Information and Security.

1991-1996: Tripartite Agreement

139. **Al-Turabi's relationship with the mullahs' regime in Tehran allowed him to broker a series of meetings between bin Laden and senior members of Hizballah and Iranian intelligence.** The official 2000 U.S. indictment of Usama bin Laden for the 1998 East African Embassy bombings notes that al Qaeda functioned both on its own and in conjunction with other groups, including Iran's proxy terrorist group, Hizballah. In that indictment, an al Qaeda operative, Mamdough Mahmud Salim, a/k/a "*Abu Hajar al Iraqi*," was charged with attending various meetings between 1992 and 1996 with an "*Iranian religious official*" and with a "*ranking official in the National Islamic Front*" to arrange a tripartite agreement between al Qaeda, the National Islamic Front of Sudan, and "*elements of the Government of Iran to work against the United States, Israel, and other Western countries.*"

1991-1996: al Shamal Islamic Bank and Other bin Laden Businesses in Sudan

140. Based upon our research and knowledge, bin Laden claimed that he had surveyed business and agricultural investment opportunities in Sudan as early as 1983. He embarked on several business ventures in Sudan prior to his 1991 move there and launched additional civil infrastructure development projects in partnership with wealthy National Islamic Front members. Together, these business partners capitalized the **al Shamal Islamic Bank** in Khartoum. Usama bin Laden himself invested some \$50 million in this bank (which reportedly was penetrated by the CIA) which he then used to fund terrorist organizations and terror training camps. By January 1994, several of these camps had been established in northern Sudan and included Algerian, Egyptian, Palestinian, and Tunisian fighters among the trainees.

141. The establishment of the Al Shamal Islamic Bank by Usama bin Laden and his subsequent use of accounts at that bank to finance terrorist activities have been described in some detail in formal court proceedings, specifically at the U.S. trial on the 1998 bombings of Embassies in East Africa. Usama bin Laden's status as the leading shareholder of that bank established **a direct link between him and attacks against U.S. targets that were carried out by operatives affiliated with both al Qaeda and Hizballah** who had received training, whether in Sudan, Lebanon, or elsewhere that was funded from these accounts.

142 The General Manager of **Al Shamal Islamic Bank**, Mohammad S. Mohammad, acknowledged in a September 2001 press release that Usama bin Laden had two accounts in the bank, opened on **March 30, 1992**. A former bin Laden associate **and founding member of al Qaeda**, Jamal Ahmed al Fadl, **who later became an FBI informant**, testified during the U.S. trial on the 1998 embassy bombings in Africa, that Usama bin Laden and at least six al Qaeda operatives held bank accounts in Al Shamal Islamic Bank under their own names.

143. The network of companies and financial institutions that Usama bin Laden set up in Sudan also played a key role in future al Qaeda terror operations, including attacks involving **Hizballah and Iran**. British Prime Minister Tony Blair publicly disclosed that the al Qaeda banking businesses in Sudan provided legal income for al Qaeda as well as cover for the procurement of **explosives, weapons, and chemicals, and for the travel of al Qaeda operatives**.

144. The FBI confirmed that Mohamed Atta, who piloted one of the commercial aircraft into the World Trade Center, “wired money to Mr. bin Laden’s former paymaster in Sudan, Shaykh Sai’id el Masry, also known as Mustafa Muhammad Ahmad, on the eve of the [9/11] terrorist attacks.”²⁶

145. Testimony in the trial of four men convicted for the U.S. Embassy bombings in Kenya and Tanzania (1998), a joint operation of Iran/Hizballah/al Qaeda, revealed that Shaykh Sai’id el Masry (Mustafa Muhammad Ahmad) controlled the bin Laden financial network in Sudan through a company called Taba Investments, and used profits from related Sudanese banks and businesses to finance and cloak terrorist training.

146. Tens of millions of dollars provided by bin Laden to the Taliban after he arrived in Afghanistan from Sudan in 1996 were traced directly to bin Laden entities through banking and other transfers. These transfers involved the Taba Investments Company and Al-Shamal Bank in Khartoum.

²⁶ In 1999, just two years before the September 11, 2001 attack, an Air India jetliner was hijacked by operatives of Hizballah. Imad Mughniyah insisted upon the release of Shaykh Sai’id el Masry as part of the resolution of the standoff. This demonstrates the closeness of Iran/Hizballah and al al Qaeda inasmuch as Shaykh Sai’id el Masry was the 9/11 paymaster two years later.

1992: First al Qaeda Terror Attack

147. Al-Qaeda and Usama bin Laden directed, funded, and organized multiple attacks from safe haven in Sudan using funds channeled through the al Shamal Islamic Bank. On December 29, 1992, al Qaeda is believed to have conducted its first known terrorist attack in Aden, Yemen where bombs exploded outside two hotels, the Movenpick Hotel and the Gold Mohor Hotel. U.S. servicemen were known to have been staying at the Gold Mohor en route to Somalia in support of Operation Restore Hope. Although the attack took place shortly after 100 servicemen had departed and there were no U.S. casualties, a Yemeni and an Austrian tourist died in the attack. U.S. intelligence would later conclude in April 1993 that bin Laden played a role in this attack.

1993: Mogadishu and Sudan

148. By 1993, Sudan was placed on the State Department's list of countries that sponsor terrorist activities. In the same year, eighteen U.S. troops were killed in an urban attack in Mogadishu, Somalia popularized as "*Blackhawk Down*." Usama bin Laden helped train and finance the terrorists who killed the U.S. troops from a base in Sudan.

1993: World Trade Center

149. On February 26, 1993, the World Trade Center was bombed, killing six and wounding over a thousand persons. Ramzi Yousef, mastermind of the 1993 World Trade Center bombing, was captured in Pakistan two years later in February, 1995, and extradited to the United States. A search of his former residences lead investigators to believe Yousef was linked to bin Laden; while in Pakistan, Yousef stayed at a bin Laden's guest house known as "*The Martyr House*." Khalid Sheikh Mohammed, leader of the World Trade Center attack on 9/11 and a close confidant of bin Laden, is the uncle of Ramzi Yousef

1993: Lincoln and Holland Tunnel

150. On June 24, 1993, al Qaeda members were arrested for plotting to bomb the Lincoln and Holland Tunnels in New York City. The Egyptian cleric, Omar Abdul Rahman known as “the Blind Sheikh,” whose Islamic group in Egypt aligned itself with al Qaeda, was arrested and later convicted for his role in these plots.

1993: al Qaeda Visits Iran and the Bekaa Valley in Lebanon

151. Based on our research and knowledge separate and independent of the 9/11 Commission disclosures, senior al Qaeda operatives and trainers traveled **to Iran** to receive training in explosives. In the fall of 1993, another such delegation went **to the Bekaa Valley** in Lebanon for further training in explosives as well as in intelligence and security. Usama bin Ladin reportedly showed particular interest in learning how to use truck bombs such as the one that had killed 241 U.S. Marines in Lebanon in 1983.²⁷

152. Throughout their approximately four-and-a-half year stay in Sudan, 1991-1996, senior al Qaeda managers maintained contacts with Iran and the Iranian-supported terrorist organization, Hizballah, which is based in southern Lebanon and Beirut. **Al-Qaeda members received advice and training from Hizballah.** The Tehran regime’s top man to coordinate all of this was Iran’s Charge d’Affaires in Khartoum, Majid Kamal, the IRGC commander who had performed the same function in Beirut, Lebanon in the early 1980s during the formation of Hizballah.

1991-95: al Qaeda and Iran Cooperate in Bosnia and Kosovo

153. The savage wars that attended the break-up of the former Yugoslavia in the 1990s provided yet another opportunity after the **Afghan/Soviet war for al Qaeda and Iran to**

²⁷ As stated, *supra.*, al al Qaeda used truck bombs in Riyadh in 1995, at Khobar Towers in 1996 and for the two U.S. Embassy bombings in Africa in 1998.

demonstrate on the battlefield their Islamic solidarity against the Western, Christian infidel.

154. In 1990, as former Yugoslav states began splitting off in earnest, the government of Serbian president Slobodan Milosevic revoked the autonomy of Kosovo and unleashed a wave of oppression against the province's majority Muslim population. The vicious war in Bosnia broke out in 1992 and raged until 1995.

155. Muslim countries and fighters from around the world responded to the Bosnians' and Kosovars' request for help. **Both al Qaeda and the Government of Iran (among others) came to their aid.** Al-Qaeda operatives began infiltrating into the region as early as 1991 in anticipation of the jihad war to come. Al-Qaeda veterans of the war in Afghanistan infiltrated across the Albanian border with Kosovo to support the Kosovo Liberation Army (KLA), and Iran sent members of the IRGC Qods Force to Bosnia. U.S. intelligence has acknowledged al Qaeda's link to the KLA, reporting that al Qaeda had "*both trained and financially supported*" the Albanians and that the Kosovo border had been infiltrated by Bosnian, Chechnyn, and Afghan *mujahedeen*. Much of the financial support was channeled through Muslim front organizations posing as charities.

156. Intelligence and other reporting indicate that both Usama bin Laden and Ayman al Zawahiri visited terrorist training camps in Albania and Bosnia between 1994-96. The Bosnian Embassy in Vienna issued a passport to bin Laden in 1993, according to various reports in the Yugoslav press at the time. The reports add that bin Laden then visited a terrorist camp in Zenica, Bosnia in 1994. Claude Kader, an Algerian-born French national who was a *mujahedeen* veteran of Afghanistan, testified that Usama bin Laden visited Albania in 1996 and 1997. According to these accounts, bin Laden directed al Qaeda senior commanders to incorporate the

Balkans into a complete southeastern approach to Europe, an area stretching from the Caucasus to Italy. Al-Zawahiri, the Egyptian second-in-command of the entire al Qaeda network, headed up this southeastern front line.

157. **Iran, al Qaeda, and Saudi Arabia, the three principal backers of the Islamic Jihad in the Balkans, coordinated their support to Bosnia: Iran and al Qaeda sent manpower and the Saudis funded it.** Iran also opened a weapons trafficking route into Bosnia.

1994-95: al Qaeda Camps in Sudan and Yemen

158. U.S. Intelligence analysts agree that by January, 1994, bin Laden was financing at least three terrorist camps in North Sudan where al Qaeda followers from a half-dozen nations received training. Likewise, by 1995, analysts agree that bin Laden established extensive training and housing operations for foreign guerillas in Northern Yemen near the Saudi border.

1995: "Plan Bojinka;" An Attempt to Assassinate Mubarak; and a Riyadh Bombing

159. On January 6, 1995, a police raid on the Manila, Philippines, apartment of Ramzi Yousef (World Trade Center 1993 mastermind) discovered **Plan Bojinka** which included plots to assassinate Pope John Paul II during his visit to the Philippines and also against both U.S. President Bill Clinton and Philippines President Fidel V. Ramos. Plan Bojinka involved a plan to bomb eleven U.S. airlines over the Pacific Ocean. The plotters had succeeded in a small-scale trial run bombing of a Philippines's Airlines flight in December 1994, which killed one Japanese passenger and forced the plan to land at Naha Airport, Okinawa.

160. On June 26, 1995, Egyptian President Hosni **Mubarak** survived an al Qaeda assassination attempt during a state visit to Ethiopia.

161. In **Riyadh**, Saudi Arabia, on November 13, 1995, a Saudi Arabian National Guard office utilized by U.S. forces was car-bombed by al Qaeda, killing seven while wounding 42 bystanders.²⁸

1996: Khobar Towers

Al-Qaeda and Iranian Collusion

162. On June 25, 1996, al Qaeda struck the U.S. military housing in Khobar Towers, Dhahran, Saudi Arabia, with a powerful truck bomb, killing nineteen U.S. citizens and wounding some 500 persons.²⁹ Louis Freeh, former Director of the FBI stated:

*“...acting under direct orders from **senior Iranian government leaders**, the Saudi Hezbollah detonated a 25,000-pound TNT bomb that killed 19 U.S. airmen in their dormitory at Khobar Towers in Dhahran, Saudi Arabia.”*

*“...As FBI agents sifted through the remains ... the bombers admitted they had been trained by the **Iranian external security service (IRGC)** in Lebanon’s Bekaa Valley and received their passports at the **Iranian Embassy in Damascus, Syria**, along with \$250,000 cash for the operation from IRGC Gen. Ahmad Sharifi.”*

“We later learned that senior members of the Iranian government, including Ministry of Defense, Ministry of Intelligence and Security and the Spiritual Leader’s office had selected Khobar as their target and commissioned the Saudi Hezbollah to carry out the operation.”

163. In 9/11 Commission testimony during June 2004, Commission staff member, Douglas MacEachin, a former CIA analyst, said that Iran and its terrorist ally Hizballah were linked to the al Qaeda terrorist group. MacEachin testified that intelligence obtained shortly after the Khobar Towers bombing supported suspicion of bin Laden’s involvement. Additionally, MacEachin disclosed that there were reports in the months leading up to the bombing that Usama bin Laden was trying to facilitate a shipment of explosives to Saudi Arabia. He also noted that

²⁸ Eight years later, 2003, al al Qaeda would again strike United States interests in Riyadh, killing five Americans.

²⁹ Two months after the Khobar Towers bombing, bin Laden issued his August, 1996, *fatwa*, mentioning the bombing as a warning. See ¶ ___, *supra*.

on the day of the bombing at the U.S. military complex, bin Laden is known to have been congratulated by other members of al Qaeda. MacEachin specifically sought to lay to rest U.S. intelligence assumptions that Shi'ite and Sunni groups would not work together:

*"...intelligence...showed a far greater potential for collaboration between Hezbollah and al Qaeda than many had previously thought." "In sum," he said, "we have seen now strong but indirect evidence that bin Laden's organization did in fact play some as yet unknown role in the Khobar attack."*³⁰

164. Former Defense Secretary William Perry said he believes that the Khobar Tower bombing was probably masterminded by Usama bin Laden:

*"I can't be sure of that, but in retrospect, that's what I believe. At the time, he was not a suspect. At the time ... all of the evidence was pointing to Iran."*³¹

In fact, in 1998 Usama bin Laden gave a press conference to a British newspaper where he accepted responsibility for the Khobar Towers bombing.

165. According to the United States, classified evidence suggests that the government of Iran was the key sponsor of the Khobar Towers bombing, and several high ranking members of their military may have been involved. The 9/11 Commission Report also ascribes primary responsibility for the Khobar Towers bombing to Iran and the Saudi branch of Lebanese Hizballah; nevertheless, it clearly asserts that al Qaeda also was involved:

"In June 1996, an enormous truck bomb detonated in the Khobar Towers residential complex in Dhahran, Saudi Arabia, that housed U.S. Air Force personnel. Nineteen Americans were killed, and 372 were wounded. The operation was carried out principally, perhaps exclusively, by Saudi Hizballah, an organization that had received support from the government of Iran. While the

³⁰ "Twelfth public hearing of the National Commission on Terrorist Attacks Upon the United States, Panel I, NTSB Conference Center, L'Enfant Plaza, Washington, D.C. 9:01 a.m. EDT, Wednesday, June 16, 2004; testimony of staff member Douglas MacEachin, p.6.

³¹ http://www.upi.com/Business_News/Security-Industry/2007/06/06/Perry-US-eyed-Iran-attack-after-bombing/UPI-70451181161509/

*evidence of Iranian involvement is strong, **there are also signs that al Qaeda played some role**, as yet unknown.”* 9/11 Commission Report, p. 60.

Footnote 48 to this passage from the 9/11 Commission Report cites the following report (among others), which specifically identifies both Usama bin Laden and Iran as at least suspects in the attack: “*CIA analytic report, Khobar Bombing: Saudi Shia, Iran, and Usama bin Ladin All Suspects,*” CTC 96-30015, July 5, 1996 ...”

166. Usama bin Laden himself certainly claimed or implied al Qaeda involvement:

“The crusader army became dust when we detonated al Khobar...I have made an oath by Allah, the Great, to fight who ever rejected the faith...” -- Usama bin Laden, 1996 Declaration of War.

167. In addition, the U.S. National Security Agency intercepted a June 27, 1996 phone call between Usama bin Laden, Ayman al Zawahiri (al Qaeda’s number two leader), and Ashra Hadi, then head of the Palestinian Islamic Jihad. During the phone conversation, al Zawahiri and Hadi congratulate bin Laden for the Khobar Towers attack. In response, **bin Laden expressed joy about the attack and applauded the bombers:**

“When I got the news about these blasts, I was very happy. This was a noble act. This was a great honor but, unfortunately, I did not conduct these explosions personally.”

Of course, as the leader of the al Qaeda organization, bin Laden would not have personally taken credit, but he would have accepted congratulations on behalf of those of his people who had carried out the attack. As we have seen above, the attack was in fact a collaborative effort of al Qaeda and Shi’a terrorists acting under Iranian sponsorship.

168. A three-year-long investigation led the FBI to conclude that Iranians were involved in the attack. This was accepted by the Clinton White House which had a letter secretly delivered directly to Iranian President Khatami by Sultan Qaboos of Oman. **The letter stated**

that the United States had evidence of direct Iranian involvement in the act, and demanded that those involved be held responsible for their actions. Khatami refused to begin an investigation and Iranian officials stated that al Qaeda was responsible for the attack.³²

Personal Relationships

Ties Between al Qaeda and Iran

169. Following the pan-Islamic alliance agreements forged in the Sudan, and throughout the early 1990s, al Qaeda and Iranian leadership figures continued to explore means and modes of terrorist coordination. Hizballah training of hundreds al Qaeda operatives provided the skill set required to advance their *jihadi* agenda. Deepening personal relationships between al Qaeda's top two leaders, **Usama bin Laden** and **Ayman al Zawahiri**, and **Iranian intelligence chiefs** laid the foundation for the closely-coordinated terror attack planning that would strike the United States repeatedly in the years leading up to September 11, 2001, and would culminate with the deadly attacks of that day, and continue into the new decade and beyond.

1995: al Zawahiri and Fallahian

170. Based upon our research and knowledge, the close battlefield coordination between the top leadership of al Qaeda and Iranian Qods Force commanders during the wars in the former Yugoslavia served to deepen the relationship between them. According to information gathered by NSA and the Israeli Mossad, **Ayman al Zawahiri**, second in command of al Qaeda, traveled to **Iran** several times after the war in Bosnia (which ended in 1995). Al-Zawahiri was the guest of Security and Intelligence Minister, the Ayatollah **Ali-Akbar**

³² "Iran and the West (part 2): The Pariah State." [Television production]. BBC. 2009-02-14. Event occurs at 46:00-50:45. <http://www.imdb.com/title/tt1387902/>. [REDACTED]

Fallahian-Khuzestani and the chief of Iranian operations abroad, **Ahmad Vahidi**. The significance of the personal relationship here forged between al Qaeda's number two and the top leadership of the Iranian intelligence service (the MOIS, Ministry of Intelligence and Security) cannot be overstated.

Personal Relationships and Other High Level Contacts

171. Ali Fallahian, the head of MOIS throughout much of the 1990's, and the Qods Force (elite international division of the Pasdaran) chief at that time, **Amad Vahidi**, were also reported to be in regular contact with **al Zawahiri**. Later in 2002, al Qaeda's second in command, Ayman al Zawahiri, was arrested by mistake in Iran. News of al Zawahiri's arrest was also published in a newspaper called *Hayat-e-Nau* (or "New Life"). Although al Zawahiri was quickly released and the story was immediately disavowed by Iran's foreign ministry, it is believed that **Ali Fallahian's** influence, even though he was no longer MOIS chief at that time, was instrumental. Whether it was Fallahian or his successor at MOIS, Ali Younesi, who served from 1999-2005, or Vahidi, who effected al Zawahiri's speedy release, **the incident serves to highlight the close ties that existed between top levels of al Qaeda and Iran**, particularly Iran's intelligence community and the Pasdaran.

Personal Relationships

1996: Usama bin Laden Associate Sought Contact with Iranian Intelligence Officers in Afghanistan

172. Additional evidence of the multiple avenues by which Usama bin Laden was in touch with Iran is based on encrypted communications intercepted by NSA, a form of classified intelligence to which we ascribe a high level of validity. U.S. intelligence reports show that representatives of Usama bin Laden contacted Iranian intelligence agents in the mid-1990's. According to reports based on the encrypted message on 31 July 1996, **Abdullah Nuri**, an

associate of bin Laden in Tajikistan, contacted agents from the Iranian Ministry of Intelligence and Security in the northern Afghan city of Taliqan, not far from the border with Tajikistan. Nuri requested a meeting between bin Laden, then headquartered in Jalalabad, Afghanistan, and an Iranian representative. According to the intercept, the Iranians wanted bin Laden to travel to Taliqan for the meeting, which bin Laden was reluctant to do for security reasons; Nuri urged the Iranians to send a representative to meet bin Laden in Jalalabad instead. The NSA reports do not comment on whether the meeting ever took place.

173. These efforts by **Nuri** to bring al Qaeda and Iranian intelligence agents together were not the first contacts between them. In December 1995, both Nuri and Mustafa Hamid (a/k/a Abu Walid), an Egyptian associated with **al Qaeda**, **attended a meeting in Iran**. **Usama bin Laden also was present** at this meeting, which is where he apparently succeeded in recruiting Nuri away from fighting Tajikistan to join his jihad against the United States.

Personal Relationships

1997: Usama bin Laden Suggests Taliban-Iran Alliance

174. In March 1997, a Pakistani journalist, Hamid Mir, a source we know has significant access to terrorists, who was then working for the Pakistani newspaper, the *Daily Pakistan*, was the first to interview Usama bin Laden. (In fact, so unknown was the al Qaeda terrorist in those days, that Mir considered his report “a flop” because it received so little international attention.) Like most observers at the time, Mir believed that Shi’ite Iran and the Sunni Taliban were enemies, and so he was surprised during the interview when bin Laden discussed an alliance between the **Taliban and Iran** based on their common anti-U.S. stance. As one of bin Laden’s operatives told Mir, “*We want a broad-based alliance against the United*

States and that's why we are in touch with the Iranians since many years."³³

175. Later, in **April 2001**, Hamid Mir attended an international conference on the Arab-Israeli dispute held in Tehran. There, also in attendance, he saw Hizballah chief Hassan Nasrallah, HAMAS leader Khalid Mashaal, and many other key terrorist leaders. **Mir learned at the conference that many of al Qaeda's Arab leaders were living in Tehran.**³⁴ Mir then met with Gulbuddin Hekmatyar in Tehran and heard him speak openly in support of Usama bin Laden. Based on our professional familiarity with the literature, and noting corroboration of these accounts by other credible sources [REDACTED], we believe Hamid Mir's reporting on these subjects to have been reliable, that is, al Qaeda living in Tehran before September 11, 2001.

Iran Forging Alliances

176. Following the horrific Iran-Iraq war of the 1980s, Iran entered a period of national recovery and consolidation of domestic power by the new Supreme Leader, the Ayatollah Ali Khamenei. Khamenei succeeded the Ayatollah Khomeini after his 1988 death and remains Iran's Supreme Leader today. This era also featured a violent Iranian activism abroad when MOIS was granted an extraordinary degree of authority to assassinate, attack, kidnap, and kill Iranian dissidents and exiles but also, most importantly to our topic here, to forge alliances with like-minded Islamic *jihadist* entities that would ensure Iran never again faced near national defeat in a war of survival. **These *jihadist* foreign policy objectives made Iran's consolidation of ties with al Qaeda a predictable occurrence.** See, Patterns of Global Terrorism, *supra*.

³³ Mir, Hamid, "The Iranian Connection," *The Rediff, India*, 16 July 2004. Accessed online 10 February 2010 at <http://www.e-riana.com/ariana/earyana.nsf/allDocsArticles/54285B6851FAE9C487256ED30057945F?OpenDocument>

³⁴ [REDACTED]

**1997: Links between Usama bin Laden, other
Al Qaeda members, Taliban figures, and Iran**

177. As early as 1997, there are references in official U.S. Government documents to Usama bin Laden's links to Iran. A number of these have now been declassified and deposited to official U.S. National Archives, where they may be viewed by the public. Department of State cable SecState WDC 231842, dated 8 Dec 97, reports on a meeting held by Assistant Secretary of State Karl Inderfurth with three Taliban "Acting Ministers," a meeting understood to have been sought by Taliban leader Mullah Omar. At this time, the United States was urging Afghanistan to expel Usama bin Laden and this delegation assured Inderfurth that the Taliban would keep their commitment and not allow al Qaeda to use Afghanistan as a base for terrorism. As seen in the actual cable copy, the Taliban representative added:

THAT IF BIN LADEN WERE EXPELLED, HE WOULD GO TO IRAN AND CAUSE MORE TROUBLE. AHMAD JAN NOTED THAT THE TALIBAN DID NOT INVITE BIN LADIN INTO AFGHANISTAN; HE WAS ALREADY IN NANGARHAR AS A GUEST OF THE PREVIOUS REGIME WHEN THEY TOOK OVER. THE TALIBAN, HE CLAIMED, HAD STOPPED ALLOWING HIM TO GIVE PUBLIC INTERVIEWS AND HAD FRUSTRATED IRANIAN AND IRAQI ATTEMPTS TO GET IN CONTACT WITH HIM.

U.S Embassy Bombings in East Africa

1998: Hizballah/al Qaeda Operatives in Nairobi and Dar esSalaam

178. On August 7, 1998, two near simultaneous bombings of the U.S. Embassies in East Africa occurred. The Nairobi, Kenya, the bombing killed 291 persons and wounded about 5,000. The Dar es Salaam, Tanzania, attack killed ten persons and wounded 77.

179. These embassy bombings marked the second major verifiable attack by the al Qaeda-Hizballah-Iran alliance against the United States. They followed the Khobar Towers attack against the U.S. military barracks in Dhahran, Saudi Arabia by about two years. The two nearly simultaneous suicide attacks in neighboring East African countries bore the hallmarks of

what would later be recognized as the al Qaeda style: multiple, spectacular, media-grabbing attacks that were simultaneous, involved massive explosions against U.S. or Western targets, and employed suicide bombers for the delivery mechanism. These hallmarks, however, did not originate with al Qaeda, but rather with Hizballah, Iran's proxy terror organization. In the years since the formalization of the Sunni-Shi'a pact in Sudan in the early 1990s, and with the full knowledge and backing of the Iranian regime, Usama bin Laden had sent his al Qaeda operatives to Hizballah training camps in the Beka'a Valley, Lebanon and inside Iran itself to be trained in a range of terror tactics including explosives under the supervision of master terror chieftain, **Imad Mughniyah**.

180. The 9/11 Commission Report stated with regard to the 1998 East Africa Embassy bombings that, as early as December 1993, a team of al Qaeda operatives had begun studying targets in Nairobi for future attacks. The team was led by Ali Mohamed, the former Egyptian army officer who had moved to the United States in the mid-1980s, enlisted in the U.S. Army, and became an instructor at Fort Bragg.

181. Ali Mohamed had provided guidance and training to extremists at the Farouq Mosque in Brooklyn, including some who were subsequently convicted in the February 1993 attack on the World Trade Center.

182. As early as January 1994, bin Laden received the surveillance reports of the African Embassies in Kenya and Tanzania. He and his top military committee members —**Abu Ubaidah al Banshiri** and his deputy, Abu Hafis al Masri (also known as Mohammed Atef) — and a number of other al Qaeda leaders reviewed the surveillance reports and agreed that the U.S. Embassy in Nairobi was an easy target because a car bomb could be parked close by. Al-Qaeda had begun developing the tactical expertise for such attacks months earlier, when some of

its operatives — top military committee members and several operatives who were involved with the Kenya cell among them — **were sent to Hizballah training camps in Lebanon.**

183. Another respected international terrorism expert also lent his authority to the assertion that the Iranian terror proxy organization, Hizballah, provided explosives training for the East Africa Embassy bombers. Magnus Ranstorp, then Deputy Director of the Centre for the Study of Terrorism and Political Violence at the University of St. Andrews in Scotland, stated that the suspects arrested in the East Africa Embassy bombings mentioned individuals who had gone to Lebanon for explosives training from Hizballah. ***“The military manuals of al Qaeda showed innovation in the making of explosives including RDX and C4,”*** Ranstorp said, ***“but there was an admission that some of its members had gone to Lebanon to get that expertise. Such expertise would have come from the Hizballah.”***

184. According to the 9/11 Commission Report, on November 4, 1998, the United States Attorney’s Office for the Southern District of New York unsealed its indictment of bin Laden, charging him with conspiracy to attack U.S. defense installations. **Although this indictment was for the 1996 attack on Khobar Towers, the fact that the indictment also charged that al Qaeda had allied itself with Sudan, Iran, and Hizballah is significant and is relevant to the assessment of future attacks, such as the embassy bombings, as well.**

185. Telephone records obtained by U.S. officials investigating the 1998 U.S. Embassy bombings in Kenya and Tanzania reveal that **ten percent of the calls made from the Compact-M satellite phone used by Usama bin Laden and his key lieutenants were to Iran.**

U.S. Intelligence Community Recognition of Sunni-Shi’a Cooperation

186. After Ali Muhammad’s testimony in federal court in New York City in 2000 established al Qaeda responsibility for the East African bombings, the U.S. Intelligence

Community finally began to take notice of the maturing relationship between al Qaeda and Iran. During an interview on the PBS *Frontline* program, Larry Johnson, former Deputy Director of the U.S. State Department's Counterterrorism Office, who had served briefly at the CIA, noted that the widespread view that Sunnis and Shi'ites would not cooperate was previously the predominant one. Johnson went on to say,

*"But when you see someone like **Mughniyah** meeting with bin Laden, and **Mughniyah** moves freely back and forth between the Bekaa Valley and Iran - and the Bekaa Valley is where the explosives come out that end up destroying the U.S. housing complex in Saudi Arabia [1996 Khobar Towers] and that the individuals who are involved in that bombing attempt in Saudi Arabia again show up having links and ties with bin Laden, all of a sudden, you need to step back and say, 'okay, maybe this is not quite as we pictured it.'"*

In our expert opinion, Johnson's observation is not only correct, but, stated more broadly, the conventional wisdom that Sunni and Shi'a are enemies and do not cooperate with each other is wrong – particularly in matters of terrorism, and particularly where the interests of Iran, as the leading state sponsor of terror in the world, are concerned.

187. Johnson also said that Usama bin Laden *"modeled himself" after Imad **Mughniyah***. Johnson observed that, with the backing of Iranian intelligence, Mughniyah moved at will between the Bekaa Valley in Lebanon and Iran. Both are significant locations because the Bekaa Valley is the origin of explosives used in the 1996 Khobar Towers bombing, which was supported and sponsored by Iran. Johnson also noted that Usama bin Laden came from Afghanistan in the late 1980s as a guerrilla fighter, not a terrorist. **According to Johnson, it was Mughniyah, among others such as right-hand man and former Egyptian Islamic Jihad head Ayman al Zawahiri, who made bin Laden into an accomplished terrorist.**

**2000: Warnings about al Qaeda and Iran
Working Together pre-USS Cole Attack Went Unheeded**

188. Kie Fallis was a Defense Intelligence Agency (DIA) analyst who worked at Bolling Air Force base inside the Defense Intelligence Analysis Center (DIAC), performing research and analysis on terrorist issues. Fallis was well-qualified for his job, having served as a U.S. Army interrogator fluent in Farsi (the official language of Iran), and he had earned respect as one of DIA's top experts on Iran. In late 2000, he had recently completed a year's rotational assignment at the FBI where he had investigated the 1996 attack on Khobar Towers and the 1998 bombings of the U.S. Embassies in East Africa.

189. Back again at DIA, Fallis used "link analysis" to piece together al Qaeda's global connections and operational methodology. It became obvious to him not only that al Qaeda was continuing to plan more attacks against the U.S., but also that **al Qaeda was "intimately linked to Iran's intelligence and security services [the Ministry of Intelligence and Security or MOIS],"**³⁵ Fallis tried unsuccessfully to impress upon a number of DIA intelligence officials the importance of his findings as well as his conclusion that Iranian-backed terrorists were planning additional deadly attacks against the U.S.

190. "I began finding all these relationships," Fallis said, "between al Qaeda terrorists and the Iranians, specifically those organizations directly controlled by Iran's supreme leader, Ali Khamenei. Al Qaeda and Iran were also connected to terrorists who belong to the Egyptian Islamic Jihad and the Egyptian Islamic Group." Al Qaeda's deputy, Ayman al Zawahiri came from the former when he joined with Usama bin Laden to formally establish al Qaeda in 1996.³⁶

³⁵ Gertz, Bill, Breakdown: How America's Intelligence Failures Led to 9/11, Regnery Publishing, Washington, D.C., 2002 (Ch. 3, pp. 39-52).

³⁶ *Id.*

191. Fallis uncovered another disturbing linkage, this one between two of the 9/11 hijackers and the government of Iran. Specifically, he saw an intelligence report about a secret meeting that took place in the Malaysian capital of Kuala Lumpur in early January 2000 that was attended by Khalid al Midhar and Nawaf al Hazmi, who were among the hijackers of American Airlines flight #77 on 9/11. Also at that meeting was a Malaysian army captain named Yazid Sufaat (who would later be linked to the USS Cole bombing). Sufaat had been recruited into an al Qaeda affiliate, Jamaah Islamiya, and was tapped to head development of biological and chemical weapons for them. Sufaat, who studied bio-chemistry at California State University, also assisted Zacharias Moussaoui to obtain the visa Moussaoui used to enter the United States. During the January 2000 Kuala Lumpur episode, Malaysian security surveilled al Midhar and al Hazmi and reported that, although they were observed going in and out of Sufaat's condo, they spent the night at the Iranian Embassy (also the site of the Iranian Ambassador's residence).³⁷

192. Fallis believed that his fellow DIA analysts and their superiors were treating al Qaeda, other Middle East terror groups, and their state sponsors each as discrete problems and that no one was understanding the connections between and among the terrorist groups to Iran. Fallis was able to connect al Qaeda with Iran and Hizballah but his many warnings went unheeded.

193. As Intelligence Community experts familiar with the analytic methodology used by DIA and informed by professional knowledge of al Qaeda and Iran, and their obviously common agenda, we believe that Fallis' account is thoroughly credible. The fact that Fallis

³⁷ Gertz; see also "Ex-CIA analyst: Iran tied to 9-11, al Qaeda," *World Net Daily*, 26 June 2004. Accessed online 7 February 2010 at http://70.85.195.205/news/printer-friendly.asp?ARTICLE_ID=39144; for additional details about Sufaat Yazid's involvement with 9/11, see Summer, Tim, "Malaysia Releases Yazid Sufaat: al Qaeda biologist, sponsored Moussaoui (etc)", *Free Republic*, December 11, 2008. Accessed online 8 February 2010 at <http://www.freerepublic.com/focus/news/2147149/posts>

resigned his DIA job on the day (October 12, 2000) of the USS Cole bombing because his analysis was overlooked by supervisors adds to his sincerity, in our opinion.

Saif al Adl: The al Qaeda-Hizballah Link
for Military Training before the USS Cole Bombing

194. One key link between al Qaeda and Hizballah in terms of military training, especially in explosives, was Saif al Adl, an Egyptian who received training from Hizballah before joining other al Qaeda-trained fighters against U.S. forces in Somalia in 1993. He also assisted in planning both the 1998 U.S. Embassy bombings in East Africa and the 2000 USS Cole bombing.

195. Currently a member of al Qaeda's Shura council, Saif al Adl began his rise to command status in late 2001 after U.S. forces killed Mohammed Atef, formerly bin Laden's number 3 in command. Saif al Adl's earlier experience and close connections with Hizballah made his input invaluable for al Qaeda's attack planning in the post-9/11 period. **Intelligence sources place Saif al Adl in Iran** for at least some period of time after the U.S. launched Operation Enduring Freedom against the Taliban regime in Afghanistan.³⁸

196. Al-Qaeda relied on Hizballah explosives experts to build the "shaped charge" that so badly damaged the USS Cole in the October 2000 attack in Yemen:

"A U.S. government official told (UPI) that the blast was a 'cone-shaped charge' that used 'moldable high explosives such as SEMTEX H,' shaped to create a high-speed, high temperature blast wave. During the first stage of the blast, the explosion 'forces all the air out with tremendous force,' creating a vacuum, but as air rushes back in, it creates another tremendous force that causes further damage. 'It's a trademark of bombs made by Hizballah and raises the question of

³⁸

the involvement of Iran,' he said. A former CIA official agreed: 'We have to start looking at Iran's involvement in the incident. The evidence warrants this.'"

197. Given what we now know about Hizballah expertise with explosive charges, an expertise that began with the Vehicle-Borne-Improvised-Explosive-Device that destroyed the U.S. Marine barracks in Beirut in 1983 and has continued to mature to the deadly Explosively-Formed-Projectiles in use in Iraq and Afghanistan more recently, this account has the ring of truth to it. Its vague attribution to "a U.S. government official" provides thin cover for what, to our ears, seems most likely to be someone from the U.S. Intelligence Community.

2000 to the Present: Hizballah Facilitated al Qaeda Diamond Purchases in West Africa

198. In the months leading up to September 11, 2001, Hizballah operatives were already well-established in the West African diamond business and acted as middlemen to introduce al Qaeda buyers to diamond dealers in Monrovia, Liberia and elsewhere. We believe that the Hizballah facilitation of al Qaeda's entry into the diamond trade is illustrative of the broad range of cooperation and coordination between Iran, its proxies, and al Qaeda. Precisely because these reports take the al Qaeda-Hizballah-Iran alliance so far afield, and because of the timing, we judge them to be key to understanding just how far the relationship among these players has extended and the virtual certainty of Hizballah and Iranian foreknowledge of and complicity in the 9/11 attacks.

199. In the months prior to the attacks of September 11, 2001, al Qaeda operatives went on an aggressive diamond buying spree that began in 2000 in Monrovia, Liberia. The apparent intent was not to fund itself (as the 9/11 Commission considered) but rather to transfer value away from other assets into transportable and easily hidden form in the run-up to 9/11. Al-Qaeda was paying such a premium for uncut diamond stones during this period of time that the global diamond supply was constricted. In all, reportedly, al Qaeda purchased as much as \$20

million worth of diamonds from the Sierra Leone rebel group, the Revolutionary United Front (RUF). The rapid al Qaeda effort to move money into untraceable commodities like diamonds went on right up until the eve of 9/11, as telephone records show calls from Shi'ite middlemen to Afghanistan as late as September 10, 2001.

200. Al-Qaeda used the existing Hizballah West African diamond-smuggling network to support its activities. Ibrahim Bah, who fought alongside Muslim *mujahedeen* against Soviet forces in Afghanistan in the early 1980s before joining Hizballah to fight Israeli forces in Lebanon, was al Qaeda's main diamond connection. Bah's network of relationships across West Africa enabled him to set himself up as the main conduit between diamond buyers from both al Qaeda and Hizballah. In addition to Bah, two other Lebanese men, Aziz Nassour, a Lebanese diamond merchant, and his cousin, Samih Ossailly, were the primary contacts linking al Qaeda to a company in Belgium that dealt in diamonds, according to a joint investigation by European intelligence agencies.

201. Fragments of correspondence found on a computer in Afghanistan indicate that these diamond deals were controlled by the top levels of al Qaeda's leadership. According to credible sources, at least some of the proceeds from al Qaeda's diamonds went to attempted weapons purchases such as SA-8 surface-to-air missiles, sophisticated rockets for BM-21 multiple rocket launchers from the Nicaraguan army.

202. David Crane, the chief prosecutor for the Special Court on Sierra Leone (established in January 2003 to try people accused of war crimes during that country's civil war in the 1990s), described the linkages among al Qaeda and Hizballah operatives and the Liberian Charles Taylor:

"They're all interconnected. They all work together. They know each other. It's a common plan, a scheme, to move diamonds as a commodity, to do whatever they need to

trade it for cash, arms, or to launder money. . . . Diamonds fuel conflict, and diamonds fuel the war on terrorism. Charles Taylor is harboring terrorists from the Middle East, including al Qaeda and Hizballah, and has been for years . . . he is a player in the world of terror and what he does affects lives in the United States and Europe.”

203. Testimony from two ambassadors before the U.S. Senate Committee on Government Affairs in February 2002 touched on the involvement of al Qaeda and Hizballah in the West African diamond trade. Joseph Melrose, the former U.S. ambassador to Sierra Leone, described the Hizballah connection which he said had existed for years. John E. Leigh, then-serving ambassador of Sierra Leone to the United States, also testified at the same hearing that *“[i]t is not surprising that al Qaeda and Hizballah operatives are busy in West Africa buying under priced, looted Sierra Leone diamonds and fencing them in Europe and elsewhere.”*

1983-2008: Iran’s Agent, Imad Mughniyah, and His Relationship with al Qaeda

204. Imad Mughniyah (a/k/a Hajj Radwan) played an absolutely critical, and perhaps even irreplaceable, role in a seemingly endless series of imaginative high-profile attacks across the globe. **For decades prior to his February 2008 assassination in Damascus, Syria, Mughniyah headed terror operations for Hizballah.** His personal “genius” as a terrorist coordinator, director, and operative was an order of magnitude beyond anything comparable on the scene between 1980-2008. Mughniyah remains a legendary figure among Islamic *jihadis* of all affiliations. (See Appendix for Iranian praise for this master terrorist upon his death.) Mughniyah’s tactics and strategic thinking are sure to remain the cornerstone of terror textbooks and training camp instructions long into the future

205. The Israeli Mossad tracked Mughniyah with greater intensity — and ultimately, greater success — than any other intelligence organization, including our own. Israeli intelligence sources termed him *“a triple Hizballah-Iran-al Qaeda agent and terrorist*

executive.”³⁹ Imad Mughniyah and Ayman al Zawahiri, al Qaeda’s number 2, directed the terrorist attacks on September 11, 2001, according to the 19 September 2001 issue of *Jane’s Foreign Report* and Aman, the Israeli military intelligence service. Although Israeli Aman officials reportedly thought Iraq’s Saddam Hussein was ultimately behind 9/11, they implicitly also linked Iran and al Qaeda by specifically naming Mughniyah and al Zawahiri as the operational chiefs of the deadly attack: “*We believe that the operational brains behind the New-York attack were Mughniyah and al Zawahiri.*”⁴⁰

206. After 9/11, Mughniyah resided in Iran for at least a year or more and maintained close contacts with Usama bin Laden (who did not reside in Iran) and al Zawahiri (who also lived in Iran). Mughniyah and al Zawahiri reportedly left Iran with destination unknown in August 2003, perhaps due to internal Iranian rivalries between the Supreme Leader and his Parallel Intelligence Apparatus (PIA)⁴¹ on the one hand and then-President Khatami and other popularly elected officials, on the other.

207. Early 2002 contacts between the al Qaeda leadership and Mughniyah took place through Usbat al Ansar, a Palestinian Sunni Islamist group operating primarily in the Ein al Hilweh Palestinian refugee camp in the southern Lebanese port of Sidon and the Nahr al Bared camp in northern Lebanon.⁴² Usbat al Ansar received substantial financing during the late 1990’s from bin Laden and dozens of Palestinian fighters were sent from Lebanon to al Qaeda terror training camps in Afghanistan.

³⁹ “Hizballah’s Hassan Nassrallah & Top Command Holed up in Hermel,” *Debka*, 17 July 2006.

⁴⁰ “Who Did It? Foreign Report presents an alternative view,” *Jane’s Foreign Report*, 19 September 2001. Accessed online 3 February 2010 at http://212.150.54.123/articles/articleDet.cfm?articleid=425;http://www.janes.com/security/international_security/news/fr/010919_1_n.shtml.

⁴¹ During the 1997-2005 Khatami presidency, Supreme Leader Khamenei bypassed the elected Iranian hierarchy and operated instead through hand-picked loyalists strategically placed throughout Iranian intelligence, law enforcement, and security organizations. This network was colloquially called the “Parallel Intelligence Apparatus.”

⁴² Figchel, Yoni and Yael Shahr, “The Al-Qaeda-Hizballah Connection,” 26 February 2002.

Witnesses — Sworn Videotaped Testimony

208. [REDACTED]

[REDACTED] {Eleven pages redacted, through ¶249} [REDACTED]

Abolhassan Banisadr

250. Abolhassan Banisadr, a French-educated intellectual, became a familiar figure on international television networks as the interpreter for Ayatollah Ruhollah Khomeini when he was exiled to France in 1978. After the overthrow of the Shah in the Iranian Revolution of 1979, he became the first elected president of the Islamic Republic of Iran, taking office in February 1980. Disagreements with Ayatollah Khomeini developed not long afterwards and Banisadr was ousted on Ayatollah Khomeini's orders in June 1981. Banisadr escaped into exile and has lived since then near Paris.

251. As one of the founders of the new Islamic regime, Banisadr has an insider's understanding of the regime's ideology and structure. His sworn videotaped testimony describes the *modus operandi* of Iranian terrorist organizations and exposes the direct role played by Iran's Supreme Leader in orchestrating overseas terrorist operations.

252. [REDACTED]

253. Banisadr testified that, after he was removed from office, the Islamic Regime began to use terrorism as an instrument of state power. Banisadr stressed repeatedly that these activities are the works of the regime, not the people of Iran.

254. While Banisadr did not claim to have specific knowledge of Iran's institutional ties to Dr. Ayman al Zawahri and Egyptian Jihad (a major component of al Qaeda), he described the importance of the IRGC's General Zolqadr, who headed the Qods Force in the mid-to-late 1990's. Zolqadr was the regime's special envoy to Sudan at the time the Iranian regime forged a special relationship to Usama bin Laden and his organization. Zolqadr also chaired the committee that determined which individuals would be targeted for assassination by regime hit teams.

255. After Banisadr's ouster, the IRGC took over responsibility for relations with foreign "revolutionary" groups, such as HAMAS, and "set up the Qods Force army to carry out overseas acts of terrorism." The Qods Force coordinated activities in Lebanon's Bekaa Valley, where it ran terrorist training camps. [REDACTED]

The Qods Force and MOIS controlled the airports, the shipping ports, and networks of companies used for import-export, while skimming money from customs duties and from the proceeds of Iranian oil sales, all to finance overseas terrorist operations. [REDACTED]

[REDACTED]

256. Banisadr also testified that, when international sanctions prevented Iraq's Saddam Hussein from selling Iraqi oil on international markets in the mid-1990's, the IRGC brokered the sale of Iraqi oil in exchange for a portion of the proceeds. [REDACTED]

[REDACTED] Also, foreign front companies established by the IRGC and MOIS provided cover for terrorist operatives overseas. [REDACTED]

257. Banisadr made clear that, when the IRGC or MOIS bring foreign terrorists into Iran to provide them safe haven or training, or when they support terrorist organizations outside of Iran, the Supreme Leader is always aware of these activities and must approve them.

[REDACTED]

[REDACTED]

258. Banisadr added that, there is a group within the IRGC whose specific job is to conduct terrorist operations and handle relations with the terrorist group and oversee the terrorist operation. [REDACTED] This *modus operandi* extends throughout the Iranian government.

259. Banisadr testified that Imad Mughniyah was a “very famous” figure to Iranians because of his involvement in the “terrorist branch” of Hizballah in Lebanon. “Without Iran, Hezbollah would not have become what it now is,” Banisadr stated unequivocally.

260. Not only do all the witnesses agree on Mughniyah’s role in Hizballah and his relationship with the Iranian regime, there is a large volume of open source material indicating the same. Mughniyah was provided safe haven in Iran from 1982 on, and he was issued an official diplomatic passport of the Iranian Government.

261. We credit the testimony of Banisadr especially his unique insight into the authority of the IRGC, Qods Force, and the Regime’s use of terrorism as an instrument of Iranian foreign policy.

Guantanamo Bay

2001: Khairhwt, Governor of Herat

262. According to Guantanamo Bay Combatant Status Review Board transcripts for **Khirullah Said Wali Khairhwa**, the former Governor of Herat Province, Afghanistan from

1999-2001 (under the Taliban government headed by Mullah Omar), a number of meetings took place in the period before and just after September 11, 2001 among top-ranking representatives of the Gulbuddin Hekmatyar group, Hizbi-I Islami, **Iranian**, and Taliban officials.

263. Former Taliban Governor Khairhwa was appointed to his position specifically to improve relations between Iran and the Taliban government in Kabul. He fulfilled his tasking by maintaining close ties with senior Taliban leadership figures as well as with Usama bin Laden. He also hosted a number of high-level meetings that included Gulbuddin Hekmatyar, **Usama bin Laden**, and **Iranian officials**. In 1996, Khairhwa attended a meeting in Kandahar, Afghanistan which included *jiha*d fighters, and bin Laden himself. Four years later, on January 7, 2000, Khairhwa and three other Taliban officials attended a meeting with Iranian and Hizballah officials. According to the Guantanamo transcript, topics of discussion at that meeting included the U.S. “*intervention*” in the region and strengthening of the Taliban’s ties with Iran. Khairhwa also admitted to being present at a clandestine meeting in October 2001 between Iranian and Taliban officials at which Iran pledged to assist the Taliban in its war against the United States.⁴³

September 11, 2001

2000-2001: Passports/Visas and Importance of Iranian Travel Assistance

264. Citing various classified intelligence reports and the interrogation of 9/11 mastermind Khaled Sheikh Mohammad (KSM) to which we accord a high level of credibility, the 9/11 Commission Report documents the willingness of Iranian officials in the months before 9/11 to facilitate the travel of **al Qaeda members through Iran**, on their way to and from Afghanistan. Specifically, according to the testimony of al Qaeda detainees such as KSM, Iranian border inspectors were told not to place telltale stamps in the passports of these travelers.

⁴³ [REDACTED]

Such arrangements were particularly beneficial to Saudi members of al Qaeda. Also according to these same reports, this was a period of time, subsequent to the October 2000 attack on the USS Cole, when Iran made a concerted effort to have even stronger relations with al Qaeda.

2000-2001: Travel

265. Terrorists travel for many reasons, including to train, communicate with other terrorists, collect funds, escape capture, and interrogation, reach safe havens, engage in surveillance of potential targets, and commit terrorist attacks. The terrorist organizations of al Qaeda and Hizballah are no exceptions. In addition to traveling to and from their base camps and training camps in Afghanistan and Lebanon, one of the favorite terrorist traveler destinations is also the principal state sponsor of terrorism in the world: Iran. Both classified intelligence reporting cited by the 9/11 Commission in its report, as well as the 9/11 Commission's *Terrorist Travel Staff Report*, confirms official Iranian government collusion and assistance in the travel of al Qaeda and Hizballah terrorists.

266. The importance of travel facilitation cannot be overstated. Understanding the context of the travels of the hijackers is necessary. For instance, the 19 hijackers used 364 alias including different spellings of their names. As they passed through various countries, their names were recorded by governments, including intelligence and border authorities. The 19 hijackers applied for 23 visas and obtained 22 of them. They began attempting to acquire U.S. visas in April, 1999, two years and five months before the attack. Thirteen of the hijackers presented passports less than three weeks old when they applied for their visas; the new passports caused no heightened scrutiny of their visa applications.

267. The mastermind of the operation, Khalid Sheikh Mohammed **used a travel facilitator** to acquire a visa on July 23, 2001, in Jeddah, Saudi Arabia, using an alias. Once the

operation was underway, the conspirators attempted to enter the United States 34 times over 21 months, through nine airports. They succeeded all but once. When the conspirators began to arrive in the U.S. airports in January, 2000, the pilots traveled alone. With the exception of two of the hijackers, the muscle operatives arrived between late April and late June, 2001. They came in groups of two or three. The hijackers applied for visas at five U.S. consulates or embassies overseas.

268. Most of the hijackers applied for entry to the United States with new passports, possibly to hide travel to Afghanistan recorded in their old passports. The four pilots passed through immigrations and customs inspections a total of 17 times from May 29 to August 5, 2001. One entry was through Los Angeles, there were 11 entries through New York area airports and 12 entries through Florida airports. They arrived in six pairs and one trio.

269. The 9/11 Commission Staff Report “*9/11 and Terrorist Travel*” noted many instances of al Qaeda terrorists being smuggled or “*facilitated*” into Iran:

“It was well-known, for example, that if a Saudi traveled to Afghanistan via Pakistan, his passport, showing a Pakistani stamp, would be confiscated upon his return to Saudi Arabia. Operatives thus either erased the Pakistani visas from their passports or traveled through Iran, which did not stamp visas directly into passports.” [p. 56]

270. The 9/11 Commission Staff Report “*9/11 and Terrorist Travel*” also noted:

“There is also evidence that terrorists used human smugglers to sneak across borders.... A typical smuggling scheme aided jihadist youth [the hijackers] wanting to travel through Iran to Afghanistan to train in al Qaeda’s camps. They would first travel to Jeddah, Saudi Arabia, to meet with a facilitator, who would then contact a second facilitator, who would buy plane tickets. When the jihadists arrived in Iran they contacted the first facilitator again and told him the name of their hotel. He would then tell an associate in Iran to meet them and smuggle them into Afghanistan.” [p. 59]

271. Although the 9/11 Commission Report did not identify the “*senior Hizballah operative*” whose travels in the months before 9/11 seemed to coincide so neatly with those of

several of the future hijackers, a February 2008 *Newsweek* report did name him as **Imad Mughniyah**. Citing a former commission staffer who did not want to be identified, *Newsweek* alluded to U.S. intelligence information obtained from “*supersensitive electronic intercepts*” about contacts among Hizballah, Iran, and al Qaeda. Given what we know about **Mughniyah** and his operational profile, as well as our high level of confidence in the intelligence reporting viewed by the 9/11 Commissioners, we consider this information very credible. As stated in ¶¶108 through 125, *supra.*, containing our Expert Comments on the 9/11 Commission findings, travel facilitation and operation is critically important. Operatives carefully selected the passports they use for operational travel and they carefully study visa and entry requirements for countries they transit to avoid appearing suspicious. Al-Qaeda appeared to exercise particular caution with regard to Western travel. Their main purposes in doing so were to eliminate the possibility of being detained on fraudulent document charges, a goal that became especially important when the operatives were traveling to participate in an attack. In sum, the 9/11 terrorists clearly expended considerable effort, with Iranian assistance, thinking about travel and engaging in methods intended to facilitate their movement around the globe.

2000-01: German Intelligence

272. Additional intelligence documentation, this time from the well-respected German security services, adds more highly credible information about the **travel of the 9/11 hijackers to Iran** in the pre-9/11 timeframe. Documents from the German *Bundeskriminalamt*, or BKA (the Federal Criminal Office, the German equivalent of the U.S. FBI), reveal **a trip to Iran by top al Qaeda conspirator Ramzi bin al Shibh** just eight months before the September 11 terror attacks.

273. Traveling on a four-week visa in January 2001, **Ramzi bin al Shibh stopped off in Tehran *en route* to meet with al Qaeda chiefs in Afghanistan.** The evidence of bin al Shibh's Iran stopover is contained in thousands of pages of documents compiled by the BKA in the course of its investigation into the "*Hamburg cell*," whose leader was Muhammad Atta, the ringleader of the 9/11 hijackers.

274. Ramzi bin al Shibh, a Yemeni national, was Atta's roommate in Hamburg and became a key coordinator in the plot after being denied a visa to enter the U.S. himself. In his role as a go-between, Ramzi bin al Shibh relayed instructions between Khalid Sheik Muhammad and Muhammad Atta, according to the 9/11 Commission Report.

275. According to the BKA documents, the evidence about Ramzi bin al Shibh's travel came from the Iranians themselves. When German investigators asked the Iranian Embassy in Berlin for information about bin al Shibh's travels to their country, the Iranians gave the BKA a two-page visa application form filled out in bin al Shibh's handwriting and an attachment showing his passport photograph. According to that form, Ramzi bin al Shibh applied for a four-week tourist visa to Iran on December 20, 2000, checking off a box about his reasons for travel as "*tourism or pilgrimage*." Ramzi bin al Shibh's application also indicated that he was not passing through Iran *en route* to another country, but rather that Iran was his final destination. A BKA report on this matter noted that bin al Shibh's visa request was approved and that he flew to Iran on January 31, 2001. This information was provided to *Havlish* attorneys in September 2004 by German prosecutors in Karlsruhe, Germany.

2001: Massoud Assassination

276. Just days before the attacks of September 11, 2001, Ahmad Shah Massoud, the legendary supreme military commander of the Northern Alliance in Afghanistan, was

assassinated by al Qaeda operatives on orders from Usama bin Laden. Massoud was a key ally of the United States. Credible sources report **Iranian assistance to Usama bin Laden** for the Massoud assassination operation. Specifically, the **Iranian Embassy** in Brussels, Belgium helped two Tunisian al Qaeda assassins obtain counterfeit Belgian passports and other documents, which they used to enter northern Afghanistan in the guise of journalists to interview Massoud. The **Iranians** also sent the two men to procure the camera used for the assassination, which had been stolen from a French journalist, and in which the explosives used in the assassination were concealed.

2001-2002: Safe Passage through Iranian Territory for Al-Qaeda Members Post-9/11

277. As we have documented above, **Iran served as a safe passage route for al Qaeda fighters both before and after the September 11 attacks. In the months prior to 9/11, Iran offered a secure route to terror training camps in Afghanistan.** Italian police reported that a Milan terrorist cell member stated that there was no danger passing through Iran *“because there's an organization that takes care of helping the mujahedin brothers cross the border. There's total collaboration with the Iranians.”* Italian authorities also report receiving information that an al Qaeda operative *“in Iran receives the brothers and selects them and decides whether to send them to Afghanistan. [In Europe] It's better to go to the Iranian Embassy in London because it's very smooth and then everything's well organized all the way to the training camps.”*

278. The Iranian channel became an escape route in the weeks after the U.S. unleashed Operation Enduring Freedom, 2001-02. An advisor to Ismail Khan, the warlord of Herat, Afghanistan, told TIME magazine in early 2002 that shortly before the U.S. unleashed its

campaign to oust the Taliban in October 2001, a high-ranking Iranian official connected to the Iranian Supreme Leader Ayatollah Khamenei had been dispatched to Kabul to offer secret sanctuary to Taliban and al Qaeda fighters. According to sources in Herat, they took the Iranians up on their offer. The 9/11 Commission reports that following the attack on the World Trade Center information “*surfaced linking al Qaeda to human smugglers.*” More specifically, following the Coalition attack on Tora Bora, human smugglers assisted fighters fleeing Afghanistan and Pakistan; in January, 2002, “*smugglers helped about 400 fighters in Taftan, Pakistan, to escape to Iran.*” 9/11 Commission, *Terrorist Travel Staff Report*, p. 67. Taftan is Pakistan’s only legal crossing into Iran as well as being a famous smuggling route. Collusion by officials on both sides of the border would be necessary for such a large number of terrorists being moved.

279. Credible sources report the November 2001 flight of some **250 senior Taliban and al Qaeda members over the border from Herat Province into Iran** in a convoy of 50 off-road vehicles that made its way via a smugglers’ route. The account was confirmed by a Western diplomat in Afghanistan who claimed that “*The Iranian Revolutionary Guard has an eye on everything that happens along the border. Of course they know that Taliban and al Qaeda fighters are getting across [to Iran].*”

280. Other credible sources assert that **al Qaeda’s second-in-command, Ayman al Zawahiri, arranged with the then commander of Iran’s Qods Force, Ahmad Vahidi, for safe harbor for senior leaders.** It is likely that various channels were prepared well in advance of what al Qaeda knew would be a massive U.S. military response to the attacks of 9/11. **Here again we see the key importance of the personal relationships forged by al Qaeda leaders with Iranian intelligence figures.** Based on our extensive expertise with the Arab and Muslim

world, we can state with confidence that personal relationships are the cement that binds together virtually any and all operational and political activity of any importance.

2001-2002: al Zarqawi in Iran

281. Among the most notorious of the **fleeing al Qaeda fighters who made their way into Iran** were **Abu Musab al Zarqawi** and the man who would soon become al Qaeda's new military operations chief, **Saif al Adl**. Credible sources report al Zarqawi suffered broken ribs in the U.S. bombardment of the Taliban stronghold in Kandahar. After recovering from that injury in an unidentified location, *"[al Zarqawi] escaped with Al-Adl and other fighters to Iran. On arriving in Iran, they stayed in the houses of Hizb-Islami, a follower of the former Afghani leader, Qalb Al Din Hekmatyar. There is an unspoken understanding that the Iranians, or at least Iranian Intelligence, were aware of the situation."*

282. Plots that involved primitive chemical and biological weapons were broken up in London and Paris in late 2002 and early 2003. Investigation subsequently traced the planning back to **al Qaeda's Abu Musab al Zarqawi, who had fled Afghanistan in late 2001 for safe haven in Iran**. Italian investigators reported that **al Zarqawi** had an Iranian support structure in the eastern Iranian city of Mashhad, near the Afghan border. Abu Musab al Zarqawi subsequently moved on, across the entire width of Iran, to settle in the area that had been pre-selected by al Qaeda scouts around Sulaymaniyah in Iraqi, Kurdistan. After assuming command of the Kurdish opposition group *Jund al Shams* (later *Ansar al Islam*), **al Zarqawi began setting up terrorist training camps conveniently near the Iranian border, which he crossed over on a regular basis, maintaining an easy relationship with Iranian security forces on the other side.**

283. Between 2002 and 2006, when he was finally killed, al Zarqawi organized terrorist attacks both in Iraq and as far afield as Europe. In February 2002, Turkish police broke up a bombing attack that was to have taken place in Israel. The Turkish authorities arrested two Palestinians and a Jordanian who entered Turkey illegally **from Iran**; the three were members of al Zarqawi's al Qaeda-linked group Beyyiat el-Imam who had fought for the Taliban, received terrorist training in Afghanistan, and were dispatched on their mission by **al Zarqawi who was living in Tehran at that time under the protection of Iranian security services. Zarqawi was said to be back in Iran as of October 2003, where he continued to operate with the full knowledge of the regime in Tehran until moving his base of operations and tactical focus to Iraq.**

284. The U.S. Treasury Department designated al Zarqawi and several of his associates as "*Specially Designated Global Terrorist*" entities in September 2003. In support of the designation, the Department released information detailing not only al Zarqawi's "**ties**" to **Hizballah, but also with Asbat al Ansar**, that would enable them to smuggle *mujaheddin* into Palestine and then Israel to conduct operations. The Treasury designation continues with the accusation that al Zarqawi also met an associate named Mohamed Abu Dhess **in Iran in early September 2001** "*and instructed him to commit terrorist attacks against Jewish or Israeli facilities in Germany with his [Zarqawi's] people.*"

285. As Operation Iraqi Freedom continued on beyond 2002, **Iran became the gateway for fighters from across Europe**, the Middle East, and North Africa who traveled to the al Zarqawi camps to prepare for battle against U.S. and Coalition forces in Iraq.

286. Eventually, U.S. forces overran the al Zarqawi camps in Iraq. Many of the Ansar al Islam and **al Zarqawi's al Qaeda fighters fled across the border into Iran where Iranian security forces set up a field hospital and shelters for them.**

2002-2009: Lebanon, Safe Haven, and Training Camps for al Qaeda (Salah Hajir)

287. In addition to safe havens in **Pakistani border regions and Iran**, al Qaeda also transferred at least part of its operational base from Afghanistan to Syrian-occupied Lebanon in early 2002, according to senior Iran expert Michael Ledeen. A Yemeni national and al Qaeda member operating under the alias of **Salah Hajir** reportedly traveled to Lebanon as the U.S. military assault pounded al Qaeda and Taliban strongholds in Afghanistan. Salah Hajir held meetings in Beirut with leaders of the Iranian terror proxy group, Hizballah.

288. U.S. Secretary of Defense Donald Rumsfeld corroborated the move, saying *"We know Iran is actively sending terrorists down through Damascus into the Bekaa Valley where they train terrorists, then engage in acts against countries in the region and elsewhere."*

289. Western intelligence sources also reported that al Qaeda extended its involvement in the Palestinian areas by transferring a base of operation from Afghanistan to Lebanon, where it sought to develop new operatives and recruit personnel. The British daily, *The Times*, reported in its February 1, 2002 issue that the senior Yemeni al Qaeda operative named by Ledeen above, **Salah Hajir**, traveled to Lebanon in January 2002 to discuss with Hizballah leaders the relocation of between 150 and 200 al Qaeda fighters to Palestinian refugee camps in Lebanon such as Ein al Hilweh.

290. Credible sources report Hizballah terror chief **Imad Mughniyah** also is reported to have been instrumental in organizing the escape to Iran from Afghanistan of dozens of al Qaeda fighters. Various western news media report that Hizballah assisted between 20 to 50

senior al Qaeda leaders who had arrived in Lebanon. Some 20 of these reportedly were being hosted by Hizballah in a southern suburb of Beirut. By June 2003, some 200 al Qaeda and Taliban members were reported to be residing in the *Ein el-Hilweh* Palestinian refugee camp. The commander of the Iranian IRGC in Lebanon at the time, Hassan Mahdawi, was reported to have been assigned the task of seeing to the settlement of these al Qaeda fighters in Lebanon.

291. According to credible sources, as al Qaeda continued to stream into Lebanon, a coordination meeting that included leaders of al Qaeda, Hizballah, and HAMAS was held in late March 2002 reportedly to work out details of logistical and operational coordination.

2002-2009: Iran Safe Haven and Training Camps for Al-Qaeda

292. Former CIA Director Porter Goss asserted that **Tehran harbors “important members of al Qaeda, causing further unclarity [sic] about Iran’s commitment to bring them to justice.” Iran became known in the post-9/11 period as a common and convenient meeting place for radical Sunnis affiliated with global jihadist groups and other terrorist organizations, including HAMAS and Hizballah.** The leader of a *jihadist* organization in Pakistan admitted working operationally with other terrorist groups, mentioning fighters from HAMAS and Hizballah specifically. When asked where such contacts are made, the Pakistani named **Iran**.

293. In a December 18, 2001 statement, **J. T. Caruso**, then Acting Assistant Director of the Counter-Terrorism Division of the Federal Bureau of Investigation, testified about the close ideological and operational connections between the Iranian terror proxy group Hizballah and al Qaeda. **Caruso quoted a witness who revealed that al Qaeda obtained specialized terrorist training from and worked with Iranian government officials and the terrorist**

group Hizballah. In his testimony, Caruso stated that U.S. officials apparently did not detect the close alliance between al Qaeda and Hizballah until early 2002. He cited a March 2002 strategy-planning meeting in Lebanon's Bekaa Valley among envoys from al Qaeda, HAMAS, and Hizballah, information that was obtained from Israeli intelligence. By April 2002, Hizballah leaders were meeting with al Qaeda operatives who had escaped to **Iran** from Afghanistan.

294. **Secretary of Defense Donald Rumsfeld** added in April 2002 that *"there is no question but that al Qaeda has moved into Iran, out of Iran to the south and dispersed to some other countries."* U.S. officials concluded that Iranian military and intelligence services commanders were working with al Qaeda. A few months later, at a September 2002 hearing before the Senate Armed Services Committee, Rumsfeld elaborated, saying that the Iranian government *"is currently harboring reasonably large numbers of al Qaeda ... The al Qaeda (is) functioning in that country, both transiting and located, and operating."* In testimony before the U.S. Senate in February 2003, **CIA Director George Tenet** echoed Rumsfeld's statements, saying that *"we see disturbing signs that al Qaeda has established a presence in both Iran and Iraq."*

295. According to Mohamad Akram, a Saudi detainee who served as a chef to Usama bin Laden in Afghanistan, the al Qaeda leader escaped to Iran after the U.S. bombing of Tora Bora in November 2001.

296. U.S. intelligence agencies reported that **Sa'ad bin Laden, Usama bin Laden's oldest son, was spotted in Iran** in January 2003, along with other senior al Qaeda members. The younger bin Laden was believed to be a key leader of the overall al Qaeda terrorist network.

297. Al-Qaeda leaders Abu Hafs and military operations commander Saif al Adl were identified in Western intelligence reports of August 2002 as possibly **planning al Qaeda terrorist operations from Iran.**

298. **Western intelligence services report that al Qaeda fugitives repeatedly ran to Iran to escape European security services.** Operatives also have used Iran as a staging and launching point for attacks aimed at European targets. For instance, in late 2001, U.S intelligence representatives warned Italian police about the suspected Libyan leader of a terrorist cell who was operating in Italy after having trained in Afghanistan and then traveled to Italy **via Iran.** According to the information provided to the Italians, the Libyan allegedly had been in telephone contact with **Saad bin Laden inside Iran.**

299. Credible sources report that following a March 2002 battle in the Shahi Kot Mountains of eastern Afghanistan in which more than 40 American soldiers were killed, documents found in caves revealed more evidence of **collaboration between al Qaeda and Iran.** U.S. Army sources said that unused Air Iran tickets and some hotel bills from Mashhad, Iran were recovered there, **showing that al Qaeda not only maintained training camps in Iran, but also used Iran for safe passage en route to Afghanistan and elsewhere.**

300. Speaking in November 2005, Undersecretary of State for Political Affairs R. Nicholas Burns explicitly accused Iran of hosting al Qaeda:

"Iran continues to host senior al Qaeda leaders who are wanted for murdering Americans and other victims in the 1998 East Africa Embassy bombings. We have called repeatedly for these terrorists to be handed over to states that will prosecute them and bring them to justice. We believe that some al Qaeda members and those from like-minded extremist groups continue to use Iran as a safe haven and as a hub to facilitate their operations."

Counter-Terrorism Chief Cofer Black on Collaboration between al Qaeda and Iran

301. Cofer Black, the former U.S. State Department Ambassador for Counter-Terrorism, spoke to the media in 2004 and said the U.S. Government had evidence of collaboration between al Qaeda and Iran. He cited Iranian intelligence defectors who had provided significant information to the American authorities about regular contact between the Iranian *Pasdaran* (IRGC) and al Qaeda. The *Pasdaran* are the defenders of the Iranian Islamic revolution and among the most highly committed of the Iranian regime zealots. Their chain of command leads directly to the Supreme Leader, the Ayatollah Ali Khamenei, with no civilian oversight. In addition to defectors from Iranian intelligence circles, the United States and other Western services reportedly have been successful in luring away a number of defectors from Iran's nuclear weapons program. Operation Brain Drain, a CIA program launched in 2005 to slow Iran's acquisition of a nuclear capability, was aimed at convincing key scientists, military and IRGC officers, and others to defect.

2005: Internet Posting

302. In an interesting 2005 Internet posting, al Qaeda military operations chief **Saif al Adl** described his relationship with **Abu Musab al Zarqawi**. Al-Adl made clear that he had played a key role in brokering the initial introduction of al Zarqawi to al Qaeda and that after 9/11, **the two decided to set up a central leadership command circle in Iran**, from which further sub-circles would branch off. One of those sub-circles planned well in advance was Iraq, via the Northern Iran/Iraq border. The aim was to reach the Sunni areas in the center of Iraq and then to start preparations to combat the American invasion. It was not a random choice; it was a well studied one.

303. European intelligence services, tracking the perpetrators of the March 2004 terrorist attack in Madrid, concluded that although Usama bin Laden and his right-hand man, Ayman al Zawahiri, were believed to have taken refuge in the mountainous border regions between Afghanistan and Pakistan, **other core al Qaeda leaders found shelter in Iran** after fleeing U.S. military operations in Afghanistan in late 2001-early 2002. A Spanish law enforcement official cited intelligence reports from 2003 that said **elements of al Qaeda's Shura [leadership council] had relocated to northeastern Iran.**

304. Credible sources report that court documents and European investigators citing intelligence agency reports dating to 2003 placed **Abu Musab al Zarqawi, Saif al Adl**, and Mustafa Setmariam Nasar, a veteran Spanish-Syrian fighter believed by Spanish police to be the possible mastermind of the Madrid attacks, **all in Iran.**

2007: Western Intelligence

305. By 2007, Western intelligence officials spoke openly about evidence **that Iranian territory was being used as a base of operations by al Qaeda to support terrorist operations** in Iraq and elsewhere. Describing al Qaeda's Iranian base as "*a money and communications hub*," these officials said that the group's fighters **in Iran** formed the link for the al Qaeda leadership in Pakistan with followers in Iraq, the Levant (roughly, Lebanon, Israel the Palestinian territories, Syria, Jordan, Cyprus, the Sinai, and part of Iraq), and North Africa. Noting that al Qaeda moved with relative freedom in the country, the officials also made a distinction between these al Qaeda members who formed the Iran hub and the group of senior al Qaeda figures, including bin Laden's son Sa'ad, who had been in Iran since early 2002 [REDACTED]

306. Since the U.S. invasion of Afghanistan forced al Qaeda fighters to disperse out of that former safe haven, al Qaeda's relationship with Iran has grown closer. Especially because such a large number of al Qaeda members, including key members of its central core leadership, found a new safe haven in Iran, Iran's importance to the survival of al Qaeda as an organization is rivaled perhaps only by Pakistan. The *Washington Post* reported in September 2003 that "*The Iranian security services, which answer to the country's powerful Islamic clerics, protected the [al Qaeda] leadership.*" The *Post* identified these leaders as al Qaeda military chief **Saif al Adel**, chief ideologue **Mahfouz Ould Walid**, finance chief **Abu Mohammed al Masri**, al Qaeda second-in-command Ayman al Zawahiri's deputy **Abu Khayr**, propaganda chief **Suleiman Abu Ghaith**, and Usama bin Laden's son and heir apparent, **Sa'ad**.

2004: Arabic News: Al-Sharq Al-Awsat

307. In July 2004, the London-based Arabic newspaper *Al-Sharq Al-Awsat* published additional details about the al Qaeda network inside Iran, citing a source close to the Iranian presidency: "*More than 384 members of al Qaeda and other terrorist organizations are present in Iran, including 18 senior leaders of Usama bin Laden's network.*"

308. Among the most notorious of al Qaeda terrorists given safe passage, safe haven, and other material support by Iran was Abu Musab al Zarqawi. The London based newspaper *Al-Sharq Al-Awsat* in August 2004 quoted an Iranian official who said that "*Qods Force commander Brigadier General Suleimani stated that al Zarqawi and 20 senior members of the terrorist group Ansar al Islam [an affiliate of al Qaeda] were allowed to enter Iran whenever they wanted through border crossings between Halabja and Ilam in Iraq.*" When asked why Iran would support al Zarqawi given his anti-Shiite activities, Suleimani replied that al Zarqawi's

actions in Iraq *"serve the supreme interests of Iran by preventing the creation of a pro-U.S. government."*

309. **Both the *Post* story and the *Al-Sharq al Awsat* piece are important for their frank exposure of the close ties between al Qaeda and the elite Qods Force unit of Iran's IRGC.** Quoting a European intelligence analyst, the *Post* described the Qods Force senior leaders as having *"long-standing ties to al Qaeda and, since the fall of Afghanistan, have provided some al Qaeda leaders with travel documents and safe haven."* In fact, the IRGC and its Qods Force division increasingly can be described as the dominant power in Iran today. The clerical establishment, headed by Supreme Leader Ali Khamenei, has been badly discredited by rampant abuse and corruption, but especially so in the wake of the blatantly fraudulent June 2009 elections. As the clerical founders of the Revolution set to squabbling among themselves over the diminishing spoils of that Revolution, it has been the IRGC-Qods Force that steadily amassed power, both economic and military. It is even said that Iran today can best be described not as a theocracy, but as a military dictatorship. **That the top leadership of such a state harbors on its territory a key segment of the surviving al Qaeda leadership, permits it essentially unfettered freedom of movement, provides it travel documents, and allows it to plot additional terrorist attacks from its soil, should be of critical concern to those entrusted with national security responsibility.**

310. A wealth of open source information, including European court documents, law enforcement, and counterterrorism officials, details the collaboration between al Qaeda, Ansar al Islam (a branch of al Qaeda), and the IRGC. **Saif al Adl**, the al Qaeda military chief, has been described as Abu Musab al Zarqawi's *"immediate superior"* and it seems clear that he and the al Qaeda top command sought with varying levels of success to control al Zarqawi as he emerged

as the number one figure in the Iraqi Sunni insurgency between 2003-2006. Qods Force commander Brigadier General Qassem Suleimani's comment above about the freedom of al Zarqawi and other Ansar al Islam leaders to enter Iranian territory from Iraq essentially at will attests to the discipline imposed from a higher level on deeply-rooted animosity between Sunni and Shi'ite factions. Abu Musab al Zarqawi's visceral antipathy towards Shi'ites long pre-dated his enforced cooperation with Iran but once he pledged *bayat* (loyalty) to bin Laden he was bound by **the collaborative relationship between al Qaeda and Iran.**

2007: National Intelligence Estimate:

Iranian United Command And Other Evaluations

311. In July 2007, the U.S. Intelligence Community published a National Intelligence Estimate entitled "*The Terrorist Threat to the US Homeland.*"⁴⁴ This NIE, a consensus

⁴⁴ National Intelligence Estimates (NIEs) are the authoritative assessments of the Director of the Central Intelligence Agency, (after 2005, the Director National Intelligence) on intelligence related to a particular national security issue. NIEs are produced by the National Intelligence Council and express the coordinated judgments of the United States Intelligence Community (IC), the 16 U.S. intelligence agencies. NIEs are classified documents prepared for policymakers.

NIEs are considered to be "estimative" products, in that they present what intelligence analysts estimate may be the course of future events. Coordination of NIEs involves not only trying to resolve any inter-agency differences, but also assigning confidence levels to the key judgments and rigorously evaluating the sourcing for them. Each NIE is reviewed and approved for dissemination by the National Intelligence Board (NIB), which comprises the DNI and other senior leaders within the Intelligence Community.

The Intelligence Community (IC) consists of 16 members. The Central Intelligence Agency is an independent agency of the United States Government. The other 15 members are offices or bureaus within federal executive departments. The IC is led by the Director of National Intelligence, whose office, the Office of the Director of National Intelligence (ODNI), is not listed as a member of the IC.

Independent agencies: Central Intelligence Agency (CIA); United States Department of Defense; Air Force Intelligence, Surveillance and Reconnaissance Agency (AFISRA); Army Military Intelligence (MI); Defense Intelligence Agency (DIA); Marine Corps Intelligence Activity (MCIA); National Geospatial Intelligence Agency (NGIA); National Reconnaissance Office (NRO); National Security Agency (NSA); Office of Naval Intelligence (ONI); United States Department of Energy; Office of Intelligence and Counterintelligence (OICI); United States Department of Homeland Security; Office of Intelligence and Analysis (I&A); Coast Guard Intelligence (CGI); United States Department of Justice. Sub agencies: Federal Bureau of Investigation (FBI); Drug Enforcement Administration (DEA); United States Department of State; Bureau of Intelligence and Research (INR); United States Department of the Treasury; Office of Terrorism and Financial Intelligence (TFI).

intelligence product of the entire U.S. Intelligence Community published by the CIA's National Intelligence Council, made direct reference to the al Qaeda *Shura* located in Iran:

"One of two known al Qaeda leadership councils meets regularly in eastern Iran, where the American intelligence community believes dozens of senior Al-Qaeda leaders have reconstituted a good part of the terror conglomerate's senior leadership structure."

Those top al Qaeda figures meet regularly to make policy and plan attacks.

Spain: Judge Balthasar Garzon

312. The Spanish counterterrorism judge Balthasar Garzon has been at the forefront of the West's battle with al Qaeda for many years. According to Judge Garzon, when al Qaeda saw many of its pre-9/11 top leadership, such as Abu Zubaydah, Ramzi bin al Shibh, Tawfiq Attash Kallad, and Khalid Sheikh Mohammed, captured one by one and whisked away by U.S. forces, the Iran-based *Shura* convened **a strategic summit in northern Iran in November 2002.**

Although bin Laden was not present, the group had to decide how to continue operating in the new and dangerous environment. The leader of that discussion was Mustafa Setmariam Nasar, a Syrian strategist, who said it was time for al Qaeda to carry out the February 1998 *fatwa* bin Laden wrote and transmitted widely across the Arab and Muslim world. He told the *Shura* that al Qaeda would have to operate less as a hierarchical organization and more like a global network with operations over the entire world.

313. Credible sources report that until his reported death in late 2008, Sa'ad bin Laden was understood to be the key link who facilitated communications between Ayman al Zawahiri, al Qaeda number two, and the Iranian Qods Force inside Iran.

2008: U.S. Government Designations

314. In May 2008, a number of senior U.S. officials acknowledged the secret contacts between the Iranian government and top level al Qaeda leadership figures. According to those

officials, who did not want to be identified by name because of the sensitive nature of the information, **the al Qaeda leadership group headed by Saif al Adl found safe haven in Iran after the 2001 U.S. invasion of Afghanistan.** This group includes about two dozen other top al Qaeda figures, including al Qaeda spokesman **Suliman abu Ghaith** and some of Usama bin Laden's relatives, including two of his sons, **Saad** and **Hamza**. The officials claimed they did not know where in Iran these al Qaeda figures were located.

315. On June 5, 2008, the Treasury Department designated several **al Qaeda financiers** from Gulf States to the "List of Specially Designated Global Terrorist Individuals." The individuals were named for providing financial and material support to al Qaeda. Specifically, according to the designation, the financiers *"were convicted by the Bahraini High Criminal Court in January 2008 for financing terrorism, undergoing terrorist training, facilitating the travel of others abroad to receive terrorist training, and for membership in a terrorist organization [al Qaeda]."* According to the designation, two of the financiers provided **direct support for al Qaeda leaders based in Iran. The designation thus highlights the prominence of al Qaeda's network inside Iran, and the continuing Iranian support for al Qaeda's operations in Pakistan and Afghanistan.**

316. Specifically, the Treasury Department charged that between 2004 and 2007, one financier *"traveled to Iran five times on behalf of al Qaeda and the LIFG (Libyan Islamic Fighting Group) for his facilitation duties. During each of these trips, he met with senior al Qaeda facilitators. During this same timeframe, Abd al Khaliq [the financier] provided material support to al Qaeda and the LIFG by equipping them with electrical parts used in explosives, laptop computers, jackets, GPS devices, and other equipment."* Per the Department's

designation, the Bahrain-based al Qaeda financier and facilitator provided significant funding to al Qaeda. Ali facilitated the movement of money to a senior al Qaeda member **in Iran**.

317. These activities as described by the Treasury Department show that al Qaeda operatives inside Iran continue actively to conduct and direct terrorist operations with the direct support of the Iranian regime, without whose tacit acquiescence at a minimum, these activities would not take place.

2009: Treasury Department: Sa'ad bin Laden

318. The January 16, 2009 designation by the Treasury Department of **Sa'ad bin Laden** and three of his associates **as al Qaeda operatives in Iran** represents a very significant milestone in the official U.S. willingness to acknowledge the relationship of collaboration and support that has long existed between these two terrorist organizations, one a sub-national *jihadist* group and the other a *jihadist* nation-state. While belated in terms of Sa'ad bin Laden's reported departure from Iran and subsequent assassination by the U.S. military by the time of the Treasury Department action, the designation under Executive Order 13224 nevertheless is important for its recognition that the **younger bin Laden had operated in Iran at the highest levels of the al Qaeda leadership.**⁴⁵

319. In its justification for the designation, the Treasury Department said:

*"Sa'ad bin Laden, one of Usama bin Laden's sons, has been involved in al Qaeda activities. For example, in late 2001, Sa'ad facilitated the travel of Usama bin Laden's family members from Afghanistan to Iran. Sa'ad made key decisions for al Qaeda and was part of a small group of al Qaeda members that was **involved in managing the terrorist organization from Iran.**"*

⁴⁵ [REDACTED]

320. With the departure of Sa'ad bin Laden from Iran in January, 2009, there apparently remains in Iran at least one son of Usama bin Laden, **Hamid bin Laden**. Speaking in early 2009, a senior U.S. military intelligence official who tracks al Qaeda described Hamid bin Laden as both "*al Qaeda's emir of Iran*" and "*al Qaeda's ambassador to Iran*." ⁴⁶

2009: Saudi Arabia Interior Ministry

321. On February 5, 2009, the Saudi authorities released a wanted list of **85 accused al Qaeda terrorists**. The Saudi Interior Ministry alleged that **41 of these were located in Iran**. The Ministry named one of the men on the list, **Abdullah al Qarawi**, as a Saudi national who it said had been **operating from Iran for three years**. A Saudi security official, speaking on condition of anonymity, added that al Qarawi was believed to be behind recent terror attacks in Saudi Arabia. According to the Saudi official, al Qarawi leads **al Qaeda's operations in the Persian Gulf and Iran** and recruits *jihadist* fighters for Afghanistan. He added that it is believed al Qawari has more than 100 Saudis working for him in **Iran**, where they move about freely. The Saudi official said that al Qarawi has learned to use sophisticated weapons, provides *jihadis* with false documentation and money, and has created **a base in Iran that supports al Qaeda cells in Iraq and Lebanon**. The official added that al Qarawi allegedly has been in Iran since 2006 and has helped Saudi al Qaeda fugitives flee to Iraq and Lebanon where they have trained to carry out attacks.

2009: Treasury Department Designation, Mustafa Hamid

322. Another of the four al Qaeda operatives designated in January 2009 was 'Mustafa Hamid. The Treasury Department specifies the reasons for his designation:

⁴⁶ Mustafa Hamid, otherwise known as Abu Walid al Masri, has also been referred to by some Western intelligence officials as al Qaeda's "*emir*" or "*ambassador*" to Iran.

*“Mustafa Hamid is a senior al Qaeda associate who served as a primary interlocutor **between al Qaeda and the Government of Iran**. Before the fall of the Taliban, Hamid served as an instructor at a terrorist camp near Jalalabad that trained in the use of explosives. Hamid is the father-in-law of senior al Qaeda military commander Sayf al Adl. He formerly served as a correspondent for a satellite television station, at the request of senior al Qaeda leadership. **While living in Iran, Hamid was harbored by the Islamic Revolutionary Guard Corps (IRGC), which served as Hamid's point of contact for communications between al Qaeda and Iran.**”*

“In the mid-1990s, Mustafa Hamid reportedly negotiated a secret relationship between Usama bin Laden and Iran, allowing many al Qaeda members safe transit through Iran to Afghanistan” [which became essential to the success of 9/11].

***“In the late 1990s, Mustafa Hamid passed communications between Usama bin Laden and the Government of Iran.** When tensions were high between Iran and Afghanistan, Mustafa Hamid traveled multiple times from Kandahar to Tehran as an intermediary for the Taliban.”*

“In late 2001, Mustafa Hamid was in Tehran delivering messages from the Taliban to the Government of Iran. Hamid also negotiated on behalf of al Qaeda in an attempt to relocate al Qaeda families to Iran. As part of this effort, senior al Qaeda member Abu Hafs the Mauritanian traveled with Hamid and two IRGC members to Tehran for meetings. Beginning in late 2001, the family of a senior al Qaeda military commander lived with Mustafa Hamid's family in Iran. Separately, in 2002 Mustafa Hamid facilitated contacts between the IRGC and another senior al Qaeda military commander.”

2009: Treasury Designation, Bahtiyi

323. Muhammad Rab'a al Sayid al Bahtiyti is a senior member of the Egyptian Islamic Jihad (EIJ) and an al Qaeda operative. Bahtiyti has served as a trusted aide to his father-in-law Ayman al Zawahiri. According to the Treasury Department, ***“after September 11, 2001, Ayman al Zawahiri instructed Bahtiyti to take al Zawahiri's family to Iran. Bahtiyti reportedly traveled to Iran with al Zawahiri's daughters, where he was subsequently responsible for them. In January 2003, while working from Iran, Bahtiyti arranged housing on behalf of al Qaeda.”***

2009: Hizballah--Iranian Mutual Acknowledgement

324. In a rare public display of mutual coordination and cooperation, two recent statements were made: one by a top Iranian official and the other by a senior Hizballah figure. Speaking on July 25, 2009, **Ali Akbar Velayati**, advisor to Iranian Supreme Leader Ali Khamenei for international affairs, told Al-Jazeera TV that **Iran provided Hizballah and HAMAS with full, comprehensive support and that Hizballah was indebted to the Iranian leadership.** **Sheikh Naim Qassem**, the deputy secretary general of Hizballah (Hassan Nasrullah's second-in-command), admitted that Supreme Leader Khamenei was a source of legitimacy for Hizballah, which received Islamic directives from him on every matter of principle, including attacks against Israel. See, Appendix regarding Iran, Hizballah and Mughniyah.

325. On July 30, 2009 Qassem was interviewed by the Lebanese daily *Nahar al Shabab*. When asked about relations between Hizballah and the Iranian leadership, Qassem answered that Hizballah was a Shi'ite "*political religious party*" which had to **receive political and religious legitimacy from the Iranian leadership.** Qassem also provided revealing examples of the extent to which **Iranian Supreme Leader Khamenei controlled Hizballah actions**, including the decision to go to war versus Israel or not, the firing of rockets, or staging of suicide bombings. Qassem said explicitly that Hizballah would not wage war on Israel without religious authorization from Khamenei.

326. The exchange of these extraordinary statements of fealty and loyalty between Hizballah and Iran leaves no doubt about the complete authority that Iran wields over Hizballah and Hizballah's willingness to accept that authority. The implications of this relationship extend

worldwide and must be factored into any analysis of Hizballah operations, especially including its close working relationship with Usama bin Laden and al Qaeda over the last two decades.

Joint Terror Attacks

2002-2008: Tunisia, Riyadh, Casablanca, Istanbul, Madrid, Yemen

327. As operational cooperation between **al Qaeda and Hizballah** deepened in the months and years following 9/11, operatives of the two terror groups from the Sidon area of Lebanon reportedly met in Africa in December 2002 to set up **joint operations** there. Hizballah sent Abu Jaffar as its representative and al Qaeda was represented by Haroun Fazul, believed by U.S. intelligence to have been involved in the 1998 Embassy bombings in East Africa. The meeting may have been arranged to coordinate the establishment of a joint chemical weapons lab in an al Qaeda safe house, possibly in Somalia. Allegedly, precursor chemicals and CW agents such as cyanide and nerve gas were to be transferred to that safe house. Joint terrorist attacks occurred, among other places, in Tunisia, Riyadh, Casablanca, Istanbul, Madrid, Yemen and Iraq.

June 2002: Djerba Synagogue Tunisia Bombing: al Qaeda Attack with Planning in Iran

328. Responsibility for the April 11, 2002 suicide bombing of the Djerba Synagogue in Tunisia was claimed by “*The Islamic Army for the Liberation of the Holy Sites*,” the same al Qaeda group that told the London-based Arabic daily *Al-Quds al Arabiya* that it was responsible for the 1998 attacks on U.S. Embassies in Nairobi and Dar Es Salaam. Credible sources report **Sa’ad bin Laden, operating out of safe haven in Iran**, reportedly played a prominent role in the Djerba Synagogue attack by acting as a facilitator between the suicide bomber, a Tunisian national named Nizar Ben Muhammad Nawar, and al Qaeda operatives.

2003: Riyadh Bombing: al Qaeda Attack with Planning in Iran

329. Based on credible reports, al Qaeda leader, **Saif al Adl, operating out of safe haven in Iran, is reported to have personally ordered the bombing attack against United States assets in Riyadh, Saudi Arabia in 2003.** Five Americans were killed in the attack. **Saif al Adl** has written numerous strategy documents from Iran, including a seven-phase plan to conquer the world by 2020.

330. **U.S. communications intercepts** also pointed to Saif al Adl as a top suspect in the bombings of the expatriate compounds in Riyadh, Saudi Arabia. Those intercepts indicated that **the attacks were orchestrated from Iran**, according to credible sources.

2003: Casablanca Bombing: al Qaeda Attack with Links to Iran

331. Four days after the attacks in Riyadh, suicide bombers struck in Casablanca, Morocco. French intelligence officials cited suspected links between al Qaeda leadership in Iran as being responsible for both the Riyadh and Casablanca attack.

332. The multiple attacks in Casablanca on May 16, 2003 targeted hotels, restaurants, and other civilian targets associated with Jewish and Western interests and killed 45 people. Following analysis of the two attacks, counterterrorism officials in Saudi Arabia and Morocco concluded that there were connections between the two groups that carried out the attacks. Two Moroccan al Qaeda operatives suspected in the Casablanca bombings, Karim Mejjati and Hussein Mohammed Haski, also surfaced as leaders of the local al Qaeda network in Saudi Arabia and were named on the kingdom's list of most wanted terrorist suspects. They both spent time in Afghanistan terror training camps prior to 2001.

November 2003: Istanbul Bombing: al Qaeda Attack with Planning in Iran

333. Court testimony from Adnan Ersoz, a terrorist charged with the November 2003 bombings in Istanbul, implicated **al Qaeda members in Iran** in the funding for those attacks. Two synagogues, the British Consulate, and a London-based bank were bombed with 63 people killed.

March 2004: Madrid Train Bombing: al Qaeda Attack with Planning in Iran

334. Spanish investigators believe that the March 2004 commuter train bombings in Madrid were at least partially planned **from the al Qaeda base in Iran**. Two key suspects, Mustafa Setmariam Nasar and Amer Azizi, are both believed to have been **in Iran** prior to traveling to Spain to carry out the attacks. Investigators' allegations are based on Spanish communications intercepts.

335. Azizi, the suspected ringleader of the Madrid attacks, is a Moroccan al Qaeda operative who was also wanted by authorities in Morocco on charges of involvement in the Casablanca attacks of May 2003. **In addition to having been placed in Iran prior to the Madrid bombings, Azizi also spent time in al Qaeda training camps in Afghanistan prior to 2001.** According to the Spanish communications intercepts, Azizi claimed he was in Iran with Abu Musab al Zarqawi.

**September 2008: U.S. Embassy Bombing in Sana'a, Yemen:
Involvement by Sa'ad bin Laden in Iran**

336. Credible sources report that operating from safe haven **in Iran, Sa'ad bin Laden** reportedly facilitated communications between Ayman al Zawahiri, al Qaeda's number two, and the Iranian Qods Force in the wake of the al Qaeda attack on the U.S. Embassy in Sana'a, Yemen on September 17, 2008.

337. An intercepted letter signed by **Ayman al Zawahiri** and directed to the leadership of **Iran's Revolutionary Guards Corps (IRGC)** expressed thanks for assistance the Iranians provided to al Qaeda in setting up its terrorist network in Yemen. The letter, written in the aftermath of the complex attack on the American Embassy in Sana'a that involved simultaneous suicide bombs, also highlighted the important role played by **Sa'ad bin Laden, son of the al Qaeda leader, whose presence in Iran enabled him to act as intermediary between the terror group and the Iranian IRGC.** In the missive, al Zawahiri expressed gratitude for Iran's generosity, stating that without its "*monetary and infrastructure assistance*" it would have not been possible for the group to carry out the terror attacks. He also thanked Iran for having the "*vision*" to help al Qaeda establish new bases in Yemen after being forced to abandon much of its terrorist infrastructure in Iraq and Saudi Arabia. A Western security official confirmed that "*Iran's Revolutionary Guards have provided important support in helping al Qaeda to turn Yemen into a major centre of operations.*"

Opium

2008: Iranian Intelligence and Security Support to al Qaeda, the Taliban, and the Opium Business in Afghanistan

338. Key elements of the following information about the close involvement of **Iranian intelligence and security officials** in the Afghan opium trade are derived from open source investigative journalist reporting but also have been corroborated by U.S. military Special Forces commanders who have served in the region. Officials from the *Pasdaran*, Iran's Islamic **Revolutionary Guards Corps (IRGC)**, are the main players in the opium drug trade in Afghanistan. In the late 1980s, when Afghan warlords such as **Gulbuddin Hekmatyar** realized U.S. and Saudi funding assistance was going to end as the war with the Soviets was winding down, they looked to the opium business as a way to replace that income. Heavily armed

convoys of special SUV's streamed out of Helmand Province, across Pakistan's Baluchistan Province, **into Iran and onwards to Turkey**, where product was transferred to ships for onward distribution in the Gulf States and Europe.

339. In addition to Hekmatyar and other Taliban warlords, there is overwhelming circumstantial evidence that **al Qaeda** invested in the drug trade. Specifically, Haji Juma Khan (HJK) was South Asia's number one drug trafficker and smuggler for the Taliban before his October 2008 apprehension by DEA agents. His network moved as much as \$1 billion worth of heroin and opium per year. Deeply embedded with both **al Qaeda and the Taliban**, he lived openly in a residence in Quetta, Pakistan and also owned a palatial compound in Zaranj, the capital of Nimroz Province that sits astride the Iranian border. Heavily fortified and guarded by dozens of armed men, this compound was the launch site for massive hundred-vehicle drug convoys across the **Iranian desert**.

340. By 2004, the HJK drug network constituted a principal source of funding for al Qaeda and the Taliban and also functioned as a key conduit for their weapons acquisitions. HJK set up refineries in more remote locations and maintained large weapons caches. All of this took place in the rugged tri-border area where Afghanistan, **Iran**, and Pakistan meet. The **Iranian** border town of Zahedan was the nexus for HJK's drug consignments headed for Iran.

2009: After bin Laden

Iran Training al Qaeda Fighters to Attack United States across Middle East

341. Credible sources report Iranian Revolutionary Guards are training hundreds of al Qaeda fighters to carry out attacks against U.S. and allied forces across the Middle East. The Iranians are using terror training centers previously used by other Islamic *jihadi* groups, such as the Iranian-backed Lebanese Hizballah, according to Western intelligence sources. These

sources say that the decision **to allow al Qaeda fighters to train at camps inside Iran** was made by Iranian president Mahmoud Ahmadinejad as part of the policy of forging closer links to al Qaeda. The al Qaeda fighters reportedly stay at guest houses on the outskirts of Tehran where Iranian Revolutionary Guards conduct training in sophisticated terror techniques. Some of this training, including how to prepare car bombs, is conducted by elite Qods Force paramilitary personnel.

342. A senior Western intelligence official noted that *"From the evidence we have seen, Iran's links to Al-Qaeda go far deeper than simply supplying them with equipment. They are allowing them the use of training facilities so that they can ensure their attacks are as effective as possible."* The training goes far beyond terror training, however; Western experts speculate the Iranians may be looking ahead to a time when Usama bin Laden is no longer leader and are training senior al Qaeda operatives to take over the organization. By cultivating a new generation of al Qaeda leaders who will be prepared to work closely with Tehran when they eventually take control, the Iranians are laying the groundwork to take over al Qaeda themselves.

Common Knowledge

343. In late 2009, the international media carried reports about several of Usama bin Laden's children, who had been living, perhaps under house arrest, in Iran since late 2001. The discovery came to light after bin Laden's 17 year-old daughter, Iman bin Laden, called one of her brothers from the Saudi Embassy in Tehran. Subsequently, it was reported that Saudi Arabia was negotiating with Iran to permit her and siblings to depart Iran and return to Saudi Arabia. Iranian Foreign Minister Manouchehr Mottaki indicated in a New Year's Day press conference that the Iranian government had "no idea" how they had entered the country. The Saudi press nevertheless noted pointedly that, in addition to bin Laden's children, there were also **"hundreds**

of al Qaeda fighters, if not more” in Iran. Among these, according to Saudi sources, are Saudi national Salah al Qar’awi, who figures on the Saudi government’s “*Most Wanted*” list, Suleiman Abu Gheith, Muhammad Makkawi, and Saif al Adl. Saudi columnist Muhammad al Milfy commented openly on the exposure of “*the depth of the ties that bin Laden and Ayman al Zawahiri maintain with Iran.*”

2009: Post-9/11 Links Among al Qaeda, Hizballah, and Iran

344. Since the attacks of 9/11, the links between al Qaeda and Hizballah have become less covert, perhaps in part because so many revelations about their relationship have come to light and therefore the groups’ leaderships may no longer feel the need to attempt to hide it. **It is now common knowledge at least among Western intelligence services and the investigative journalist community that Hizballah and al Qaeda coordinate tactics, training, and finances, share weapons and explosives, and jointly forge identity documents.** France’s *Journal du Dimanche* even reported that Hizballah hid September 11 mastermind Khalid Sheikh Mohammed for a time during 2002.

2009: Army General Stanley A. McChrystal, U.S. Military Commander in Afghanistan Reports that Iranian IRGC-Qods Force Supports the Taliban

345. In his August 2009 assessment of the situation in Afghanistan, Army General Stanley A. McChrystal, the U.S. Military Commander in Afghanistan, reported that **the Iranian Qods Force was providing material support that included training and other forms of military assistance to the Taliban allied with al Qaeda.** The Qods Force/IRGC, has a role codified in the Iranian constitution: it is charged with the defense of the Revolution at home and its expansion abroad. The Qods Force is the tip of the IRGC spear and is in charge of liaison with foreign terrorist organizations.

346. Western intelligence services are in agreement that Iran's support for terrorists, including al Qaeda, has been carried out by agents of the Iranian MOIS and the IRGC/Qods Force a/k/a the "Jerusalem Force."

347. According to McChrystal, *"Iran plays an ambiguous role in Afghanistan....the Iranian Qods Force is reportedly training fighters for certain Taliban groups and providing other forms of military assistance to insurgents... Iran has the capability to threaten the mission in the future."* McChrystal specifically names the Iranian-backed Hezb-e Islami Gulbuddin (HIG) as one of three insurgent groups in Afghanistan that pose the greatest threat to the U.S. and NATO mission in Afghanistan. On March 17, 2010, Army General David H. Petraeus, commander of the U.S. Central Command, stated Iran is assisting al Qaeda by facilitating links between senior terrorist leaders and an affiliate groups. Regarding Tehran's ties to al Qaeda, General Petraeus said the group *"continues to use Iran as a key facilitation hub, where facilitators connect al Qaeda senior leadership to regional affiliates."*

Final Expert Statement

348. The Iranian constitution spells out in its preamble the legal responsibilities of the IRGC, which is called *"An Ideological Army:"*

*"The IRGC are to be organized in conformity with the principles of the Islamic revolution. They will be responsible not only for guarding and preserving the frontiers of the country, but also for fulfilling the ideological mission of jihad in God's way; that is, **extending the sovereignty of God's law throughout the world.**"*

349. In this, the IRGC/Qods Force role mirrors closely the Qur'anic quotation cited by Usama bin Laden in his 1998 Declaration of Jihad against Jews and Crusaders:

"But when the forbidden months are past, then fight and slay the pagans wherever ye find them, seize them, beleaguer them, and lie in wait for them in every stratagem (of war)." (Q 9:5)

350. In conclusion, it is our expert opinion that the fact that al Qaeda, Usama bin Laden, the Iranians, Hizballah, the Taliban, and all their Islamic *jihadist* allies share the same ultimate objective — re-establishment of the Caliphate (or Imamate) and imposition of Shari'a (Islamic law), by force if necessary — is not coincidental. These are the allied forces of the Islamic *Jihad* that take their inspiration from a literal textual interpretation of the Muslim Qur'an. Because they view themselves as warriors in the way of Allah, they also view the United States and its liberal democratic allies as the enemy, to be fought without pause until Islam and Shari'a are victorious across the globe.

351. Traditional animosities between Shi'ite and Sunni are easily subordinated, even if only incompletely and temporarily, under what *jihadis* believe is Allah's universal command to fight the infidel until all are subordinated to Shari'a. Understanding this overriding imperative is necessary to appreciate their unyielding enmity to United States and Western allies.

352. We are convinced that the overwhelming evidence assembled in this Affidavit leaves no doubt that al Qaeda and the official Iranian regime at the highest levels have been acting in concert to plot and execute terrorist attacks against the U.S. since the early 1990s. The pan-Islamic alliance that was forged across the supposed Sunni-Shi'a divide has been directed by the Iranian mullahs in close coordination with Usama bin Laden, Ayman al Zawahiri, and other top al Qaeda leaders. This alliance remains in operation to this day and relies on the significant resources of the Iranian *jihadist* nation-state to provide material support to al Qaeda terrorists including, above all, the extensive global capabilities of the Iranian terror proxy, Hizballah.

353. The al Qaeda-Iran alliance was responsible for all of the most significant terrorist attacks against U.S. national interests from the 1990s up to and including the attacks of September 11, 2001. The alliance remains in operation in Afghanistan, Iraq, Africa, and perhaps

Yemen. While it has never been officially acknowledged or confronted by U.S. national security leadership, it nevertheless continues to threaten U.S. national security interests both at home and abroad.

APPENDIX

FINAL WORDS

2008: Official Iranian Condolences for Their Terrorist Proxy Imad Mughniyah's Death

354. As noted in proceeding paragraphs of this Affidavit, Imad Mughniyah, the Iranian agent and proxy was the single most effective and feared terrorist in the world from 1983 until his death in 2008 by assassination. **Mughniyah's association with the 9/11 travel arrangements as discussed in this Affidavit are vital components of the Iranian/al Qaeda connection regarding 9/11.**

355. In addition to the massive (and expected) outpouring of grief and praise at the death of Imad Mughniyah from Hizballah and its Secretary General, Hassan Nasrallah, (much of which can be viewed online at the "YouTube" website), **top figures in the Iranian regime** also offered their official condolences. The close relationship between Mughniyah and Tehran, as well as the openly acknowledged links between Hizballah and Iran, have been described earlier in this Affidavit. We consider the revealing nature of these following expressions of sympathy and support by the Iranian Supreme Leader, the Ayatollah Ali Khamenei, and others at the top of Iran's clerical regime to be worth including in this Appendix because they illustrate in graphic terms the closeness of their relationship with Mughniyah and the continuing support of the mullahs' regime for terrorist attacks against the State of Israel and all who stand with it.

356. We also would like to call attention to the framing of these sympathetic expressions in religious terms: Iranian president Mahmoud Ahmadinejad alludes to the absolutes of good and evil, Supreme Leader Khamenei refers to Mughniyah's sacrifice in the cause of Allah, and all of the official statements speak of Mughniyah's "*martyrdom*." It should be noted, first, that the ideology of Shi'a Muslims holds a special place for concepts of oppression,

martyrdom, and sacrifice because of their permanent position as the smaller, minority sect within Islam. While from a common Western perspective, the use of such language may seem cynical and insincere, from the perspective of professionals who have studied Islam in depth for years, we cannot emphasize strongly enough how critical it is to understand that these pronouncements arise from the essential doctrine of Islam itself. The words of these condolences reflect directly the words of the Qur'an which is why the close alliance among Al-Qaeda, Hizballah, and Iran is not difficult to understand despite the fact that al Qaeda is a Sunni organization while Hizballah and Iran are Shi'a. The common denominator among these players is a deep and sincere belief in the commands of Allah as written in what for Muslims is their sacred scripture.

The Commandments

357. ***Jihad in the way of Allah:*** *"Fight in the way of Allah with those who fight with you. And kill them wherever you find them, and drive them out from whence they drove you out...."* (Q 2:190-191)

358. ***Jihad against Infidels (as quoted by Usama bin Laden in his 1998 Declaration of Jihad Against Jews and Crusaders):*** *"But when the forbidden months are past, then fight and slay the infidels wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem of war..."* (Q 9-5)

359. ***Jihad against People of the Book (Christians and Jews):*** *"Fight those who believe not in Allah nor the Last Day, nor hold that forbidden that which has been forbidden by Allah and His Apostle, nor acknowledge the Religion of truth, even if they be of the People of the Book, until they pay the Jizya [special tax] with willing submission and feel themselves subdued."* (Q 9-29)

360. **Antisemitism:** *“Those who incurred the curse of Allah and his wrath, those of whom some he transformed into apes and swine.” (Q 5:60)*

“And well ye knew those amongst you who transgressed in the matter of Sabbath. We said to them: “Be ye apes despised and rejected.” (Q 2:65)

“When in their insolence they transgressed all prohibitions, We said unto them: “Be ye apes, despised and rejected.” (Q 7: 166)

“O you who believe! do not take the Jews and the Christians for friends; they are friends of each other; and whoever amongst you takes them for a friend, then surely he is one of them; surely Allah does not guide the unjust people.” (Q 5:51)

“And whoever desires a religion other than Islam, it shall not be accepted from him, and in the hereafter he shall be one of the losers.” (Q 3:85)

361. **On “martyrdom”:** *“Reckon not those who are killed in Allah’s way as dead, nay, they are alive and are provided sustenance from their Lord.” (Q 3:169)*

362. Once it is understood that these Qur’anic verses are obligatory matters of dogma and belief for all Muslims, whether Sunni or Shi’a, the following examples of Iranian condolences on the death of Hizballah terror chief Imad Mughniyah can be viewed as the sincere expressions of shared Islamic belief that they are.

Iranian Condolences for Terrorist Mughniyah

363. The following is a message of condolence from **Iranian Supreme Leader, Ayatollah Ali Khamenei** to Sayyed Hasan Nasrallah, Secretary General of Lebanese Hizballah, comforting him for the “martyrdom” of Imad Mughniyah, the Iranian agent. The message is as follows:

“Dear brother, Hojatolislam Sayyed Hasan Nasrallah!

*“The martyrdom the combatant and self-sacrificing brother, **Hajj Imad Mughniyah** is a happy personal climax for this man, who was so passionate about fighting for Allah's Cause! This martyrdom is a source of pride for Lebanese people, who raised such great men, sending them to the battlefield for*

freedom and against evil. The loss of this freedom-loving, holy and prominent man is very painful for all decent people, all his acquaintances, especially his parents, wife children and relatives. Yet, the lives and deaths of such people is a heroic story inspiring all nations, giving the youths an role-model, a clear prospect and the way to realize it."

*"The bloodthirsty criminal Zionists must realize that the impeccable blood of martyrs such as **Imad Mughniyah** breeds hundreds of new Imads, strengthening the resistance against evil and injustice. Men like this valiant martyr sacrifice their lives to protect the Oppressed Ones and fight imperialism and evil. These values are honored by all mankind. Allah's Grace Be on him and all the fighters for justice. I hereby send my greetings and condolences to you and all Lebanese people, for the death of this great man. Sayyed Ali Khamenaei"*

364. The next expression of sympathy comes from **Iranian President Mahmoud Ahmadinejad**, who sent the following statement to Nasrallah:

"Dear brother and Mujahed, Sayyed Hasan Nasrallah,

*"I greet and comfort you, the heroic warriors of Hizballah, proud Lebanese people, the Arab and Muslim youth, and supporters of freedom all over the world, for the fall of this tall and free cypress, this brave, in a generation of braves, brother martyr **Imad Mughniyah (Hajj Ridwan)**."*

"He was a valiant and audacious son of Arab and Islamic worlds, a brave fighter for Lebanon's independence and territorial integrity, and a defender of honor and dignity of all the region's peoples, who inspired all impeccable believers with pride!"

"The shroud of martyrdom becomes his resolute figure, and his reward for his endless sacrifice and love was his joining the martyrs. Everyone standing for Islam, virtue, and the peoples' rights is bound to suffer the rage of thieves, occupants, marauders and murderers, who didn't dare to face this most manly man, and commit vile and cowardly assassinations and terror attacks. He is not the first victim for Faith, freedom and the defense of peoples' dignity, neither is he the last one. Yet his martyrdom will be just another badge of shame on the disgraceful and criminal Zionists and their mindless supporters. The usurpers of Jerusalem must realize they cannot make up for their shameful failure in their war on Lebanon by such crimes. They have lost all legitimacy for their existence, and such crimes only serve to shorten their vicious and evil lives. They cannot keep smiling for long, and sooner or later they will answer for that. Although today, the free peoples, and the Lebanese youth in particular, lost a great hero, they will find among them the likes of Hajj Ridwan [sic] in hundreds, thousands and millions-men who are willing to join the

fighters against occupants and terrorists. The Lebanese people will certainly know how to unite against and foil these schemes.”

365. **Ali Larijani, Speaker of Iranian parliament**, Presidential Candidate Mohsen Rezai, and Mohammed Bakr Qalibaf's sent a joint message of condolence to Hassan Nasrallah. They stated that *"this martyr's blood will agitate the Lebanese youth"*, and *"Heavens of Jihad and valiance mourn for the loss of this shining star, who dedicated his life to fighting for Islam and Lebanese people."*

366. The Fars News Agency reported that Islamic **Revolutionary Guards Corps (IRGC) Commander, Major General Mohammad Ali Jafari**, in a condolence message to Nasrallah after the assassination of Mughniyah, wrote: *"In the near future, we will witness the destruction of Israel, the aggressor, this cancerous microbe Israel, at the able hands of the soldiers of the community of Hizballah."* He further commented in his message, *"With the martyrdom of this true Muslim, the intentions of all revolutionary and combatant Muslims, especially the comrades of this dear martyr, will without doubt become firmer against the Zionist regime."*

367. Here is a statement about Mughniyah's death from **former Iranian President Mohammed Khatami** which he made during an interview with Al-Manar, Hizballah's satellite television channel:

*"**Mughniyah** symbolized an entire people's resistance to oppression. Terror controls the minds of mindless people who fear justice. **Mughniyah** wanted to liberate the lands, stop the destruction and humiliation of peoples, and stand for his people's rights. His martyrdom certainly won't help the enemies achieve their goals, but only enhance the solidarity with him among his future followers. Khatami is one of the recent "moderate" candidates for the Iranian Presidency per the election June 12, 2009. Although one of the original 1979 "revolutionaries" Khatami has accused the current regime of brutality and corruption and no longer holds any official position."*

368. Finally, 208 members of the **Iranian Parliament (or Majles)** issued a joint statement in which they said that

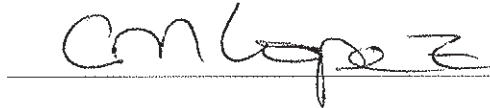
“Imad Mughniyah, a most prominent Hizballah commander and most valiant fighter e of the front of justice against evil, met his martyrdom. A heroic commander, an embodiment of justice and modesty, was murdered in Damascus by the Zionists. Certainly, no other fate except martyrdom becomes Imad, and he shall dwell in Paradise.” The Majles deputies also extended their “condolences and congratulations” for the martyrdom of this high-ranking commander to *“the Lord of the Age, the eminent leader, the leader of Hizballah, Hojjat ol-Eslam val Moslemin Seyed Hassan Nasrallah, the zealous combatants of Hizballah, the noble Lebanese nation, and all the Muslims and free thinkers of the world.”*

369. Iran sent its **Foreign Minister, Manouchehr Mottaki**, to attend the funeral ceremony for **Mughniyah** in Lebanon where he offered condolences to his family. Accompanied by Lebanese Foreign Minister Fawzi Salloukh, Mottaki shook hands with and later stood in line to express his condolences to the nearest of kin and associates of Mughniyah in an official gesture that underlined Iran's solidarity with and sympathy for Hizballah. The Iranian media (all of which is either government owned or tolerated) and prominent Friday prayer leaders across the country also offered paeans of praise for Mughniyah and condemnations of Israel. Ominously, official Iranian media publications warned of revenge for Mughniyah’s death to come, warning darkly that retaliation could come anywhere in the world.

Further the Affiants sayeth not.

This Affidavit is comprised of 369 separately numbered paragraphs, including an Appendix, and has an Exhibit A and an Exhibit B.

I, **Clare M. Lopez**, being duly sworn, do hereby swear and affirm under penalty of perjury that the contents of this Affidavit are true and correct to the best of my knowledge, information, and belief.



Clare M. Lopez

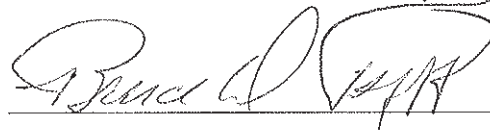
Subscribed and sworn before me this 26th day of March, 2010, in Washington D.C.



Notary Public

Gentry Alexander
District of Columbia
My Commission Expires
June 30, 2013

I, **Dr. Bruce D. Tefft**, being duly sworn, do hereby swear and affirm under penalty of perjury that the contents of this Affidavit are true and correct to the best of my knowledge, information, and belief.



Dr. Bruce D. Tefft

Subscribed and sworn before me this 26th day of March, 2010, in Washington D.C.



Notary Public

Gentry Alexander
District of Columbia
My Commission Expires
June 30, 2013

Exhibit A

Additional Expert Qualifications of Clare Lopez

I have been a regular guest lecturer at a variety of educational and security institutions including my own undergraduate *alma mater*, Notre Dame College of Ohio; Georgetown University (where I was a Visiting Researcher from 2004-6); the FBI Academy in Quantico, VA; the National Defense Intelligence College (NDIC) at the Defense Intelligence Agency, Bolling AFB; and the National Cryptologic Museum of the National Security Agency (NSA).

I am a published author and publish in both online and print media including American Thinker, Counterterrorism (the Journal of the Counterterrorism and Homeland Security International IACSP), Endowment for Middle East Truth (EMET) Newsletter, Family Security Matters, Gerard Group Newsletter, Global Politician, Human Events, Israel Insider, Jewish Press, Middle East Times, Stand Up America Newsletter, the French weekly, "*Le Reforme*," and the Washington Times.

I am a frequent contributor to broadcast media on issues related to the Middle East, Iran, Islam, and Weapons of Mass Destruction. My interviews have appeared on CNN, the Christian Broadcast Network (CBN), FOX News, al Hurra and al Jazeera TV, Russian TV (RTV), and the Japanese Kyodo News. I have also been a regular guest on a variety of talk radio programs, including Freedom570 radio, Loftus Radio, MonitorRadio ("Danger Zone"), TalkRight radio, and WMAL-AM.

I serve as a Member of a number of Boards: Member of the Board of Advisors for the Intelligence Analysis and Research Degree Program at Notre Dame College of Ohio, Member of the Board of Directors at the Institute for World Affairs (IWA), Member of the Board of Advisors for the International Free Press Society, and Member of the Board of Directors for the Center for Democracy and Human Rights in Saudi Arabia (CDHR). I am also a Member of the Information Committee for the Medal of Honor Society and a Senior Fellow at the Gerard Group International.

Book Publications

My book publications include:

- a) "What Makes Tehran Tick: Islamist Ideology and Hegemonic Interests" Iran Policy Committee, Washington, D.C. (co-author, November 2006)
- b) "Appeasing the Ayatollahs and Suppressing Democracy: United States Policy and the Iranian Opposition," Iran Policy Committee, Washington, D.C. (co-author, May 2006)

Monographs

My published monographs include:

- a) "Rise of the Iran Lobby, *Center for Security Policy*, 28 February 2009

b) "Supporters of 'dialogue' with the Iranian Mullahs help keep the US from 'meddling' on behalf of freedom," *Center for Security Policy*, 22 June 2009.

Scholarly Articles (Selected)

My published articles include:

- a. "Same Axis, More Evil," *Human Events*, September 1, 2009.
- b. "Moral Outrage at Camp Ashraf," *Human Events*, 29 July 2009.
- c. "Will North Korea and Iran Make Joe Biden a Prophet?," *Human Events*, 21 July 2009.
- d. "Iran is at a Crossroads," *Family Security Matters*, 22 June 2009.
- e. "HAMAS vs. Fatah: The Struggle for Palestine," a book review, *American Thinker*, 15 Feb 09.
- f. "Why U.S. Policy Leans Too Close to Terrorist Appeasement," *Human Events*, 10 Feb 09.
- g. "U.S. Army War College Publishes Apologia for HAMAS," *The Investigative Project*, 21 Jan 09.
- h. "The Army of Mohammad on the Attack," *Human Events*, 1 December 2008.
- i. "Mumbai Attackers Are Jihadis by Any Name," *Middle East Times*, 28 November 2008.
- j. "Presidential Imperative," *The Washington Times*, 6 November 2008. (Co-authored with Professor Louis Rene Beres)
- k. "Jews, Persians at Swords' Points," *Middle East Times*, 11 July 2008.
- l. "A Palestinian State Launching Point for Al-Qaeda Terror Against the United States," *Jewish Press*, 23 May 2008 (co-authored with Professor Louis Rene Beres).
- m. "Good Jihad, Bad Jihad, and the IC," *Family Security Matters*, 23 May 2008.
- n. "Score One for the Muslim Brotherhood," *Middle East Times*, 28 April 2008.
- o. "A Benedict for the Future Jihad," *Human Events*, 22 April 2008.
- p. "Military Wins Friends," *Middle East Times*, 28 March 2008.
- q. "Jihad Means Offensive War to Spread Islam," *Family Security Matter*, 21 March 2008.
- r. "U.S. Failure to Lead Creates Dangerous Global Instability," *Middle East Times*, 25 January 2008.
- s. "Is the Bush administration abandoning Israel?," *Middle East Times*, 4 December 2007.
- t. "Bhutto and the Iranian End Game," *Middle East Times*, 12 November 2007.
- u. "Mind War Victory for Iranian Nukes," published on the Gerard Group International website, 11 October 2007.
- v. "Know Thy Enemy," published on the *Stand Up America* website, 20 September 2007.
- w. "Iran's Revolutionary Guards Are the Regime," *American Thinker*, 22 February 2007
- x. "Palestinian-al Qaeda Plans," *The Washington Times*, 6 December 2006 (co-authored with Professor Louis Rene Beres).
- y. "Defending the Homeland against Bioweapons in the Hands of Terrorists." *Counterterrorism: The Journal of Counterterrorism and Homeland Security International* (IACSP Journal). Summer 2005, Vol. III, No. 2
- z. "Abu Musab al Zarqawi: Street Thug in the Global War on Terror." *Counterterrorism: The Journal of Counterterrorism and Homeland Security International* (IACSP Journal). Spring 2005, Vol. III, No. 1

Scholarly Presentations (Selected)

My scholarly presentations include:

- a. “Empowering Saudi Women and U.S. National Security,” *Center for Democracy and Human Rights in Saudi Arabia* Conference, Capitol Visitors’ Center, 29 July 2009.
- b. “A Nuclear Iran and U.S. Policy Options,” National Defense University Congressional Breakfast Series, 24 May 2009.
- c. “Hizballah: Cells across America,” Kansas City Law Enforcement Conference, 27 April 2009.
- d. “Where are the Storm Petrels? Iranian Intelligence vs. U.S. Intelligence,” Lecture for the Cleveland, Ohio Chapter of the Association for Intelligence Officers (AFIO), 1 Feb 09
- e. “Iran’s Intelligence Service,” Lecture to FBI Student Agents, FBI Academy, 15 Jan 09.
- f. “Pakistan, Iran, Russia: Nuclear Musical Chairs,” National Defense University, Congressional Breakfast Lecture Series, 29 April 2008.
- g. “The IRGC: Vanguard and Guardians of the Revolution,” *Women’s Freedom Foundation* Panel, United Nations, New York, 15 November 2007.
- h. “Radical Shi’ism Ascendant,” Intelligence Summit 2007 presentation, 6 March 2007
- i. “U.S. Foreign Policy Options for Iran”, National Meeting of Americans for Democracy in the Middle East, Capitol Hill (14 July 2005)
- j. “Islam and Iran in the Global War on Terrorism and Extremism,” presentation to the staff of *USA Today* (Gannett Bldg., McLean, VA), 25 May 2005
- k. “U.S. Policy Options for Iran” (Regime Human Rights Abuses and the Iranian Opposition), Iran Policy Committee presentation to the U.S. House of Representatives Human Rights and Democracy Caucus, Capitol Hill (6 April 2005)

EXHIBIT B

Additional Expert Qualifications of Dr. Bruce D. Tefft

I have been a regular guest lecturer at a variety of educational and security institutions including George Mason University, numerous State Fusion Centers, law enforcement agencies and private symposiums such as the American Congress for Truth, America's Truth Forum, Friends of the Simon Wiesenthal Center at the University of Toronto, and the Canadian Coalition for Democracies. I have developed a 5-day training course on Terrorism Awareness, elements of which have been provided to over 17,000 individuals since 9/11.

I am a frequent contributor to broadcast and written media on issues related to terrorism, the Middle East, Islam and Iran. My interviews have appeared on Fox News, and the Canadian television network CTV globalmedia. On the internet I have been interviewed by Able Danger, FrontPage Magazine, Radio Free Dar al Harb, Pajamas Media, Cybercast News Service (CNSNews), World Net Daily, and The New English Review.

Employment History

- | | |
|-----------------|--|
| 2004 to present | <p>Community Research Associates, <i>Director, Terrorism Assessment Center</i></p> <ul style="list-style-type: none">▪ Develop terrorism and counter-terrorism doctrine▪ Provide counter-terrorism training to local and national law enforcement organizations throughout North America and the Caribbean▪ Maintain terrorism data base and network of experts |
| 1998 to 2004 | <p>ORION Scientific Systems (acquired as an autonomous operating division by SRA International, Inc. in January 2004), <i>Senior Associate</i></p> <ul style="list-style-type: none">▪ Provide counter-terrorism training to local and national law enforcement organizations throughout the United States and Canada▪ Provide counterterrorism analysis and intelligence operations support to the New York Police Department's Intelligence Division and the NYPD's Counter Terrorism Division. (May 2002 to present)▪ Develop Bachelor and Master degree-level curricula for Homeland Security and Terrorism▪ Provide counterterrorism training to US Army Military Police reservists▪ Create and Support new Counterterrorism Analysis Section in the Intelligence Unit at the Immigration and Naturalization Service, Department of Justice; research fugitive aliens▪ Provide Open Source Intelligence collection and analysis to Department of Defense's Joint Counterintelligence Analysis Group (JCAG) |

- Collect and analyze Open Source Intelligence; prepared detailed analyses and Red Cell studies; Create and maintain Open Source Data Base for Counterterrorism, Force Protection, Counterintelligence and International affairs. Data base currently over 125,000 articles (50 gigabytes)
- Refine analytic computer tools for Group Models and Incident Indications and Warning systems to: predict probability of terrorist incidents based on Pre-Incident Indicators; and to indicate covert activity in corporations
- Provide training on intelligence analysis, collection, reporting Open Source research, use of inference trees and matrixes

1995-1998

International Affairs Consultant

Professional services provided to: Orion International Services, USATREX, SIE/Bulldog Technologies, Telecel USA, Inc., Mongoven, Biscoe & Duchin, Brokers' Power Inc. and Odyssey International Couriers
Services included:

- Provision of counterterrorist and anti-explosive training to members of elite foreign services
- Developing and managing security, asset protection programs and emergency action plans in Africa
- Providing diplomatic, risk management and crisis resolution services

1975-1995

Central Intelligence Agency (CIA), *Field Chief and Operations Manager*

Positions/offices

Middle East/African Affairs Referent, Office of Military Affairs

- Developed and taught intelligence collection/analysis courses for U.S. Marine Corps Expeditionary Units.
- Developed training programs for U.S. military OOTW (Operations other than war) and force protection.
- Taught intelligence and area familiarization courses at U.S. Marine Corps University and Defense Intelligence Agency Attache Courses.
- CIA liaison/advisor to U.S. Marine Corps and DIA

Field Chief, Djibouti, (includes service in Mogadishu, Somalia)

- Ran intelligence collection and counterterrorist operations against Islamic fundamentalists in Middle East and Horn of Africa.

Field Chief, Zaire (includes service in Angola)

- Developed and implemented logistics and training programs involving several thousand U.S. and foreign personnel and a \$40 million annual budget.

Chief of Radical Shi'a & Hostages, Counterterrorism Center, Hqs

- Planned and organized first joint CIA-FBI-US military operation that successfully captured a foreign terrorist who was transported to the U.S., convicted and jailed.

Field Chief, Ghana

- Planned and implemented counterintelligence E&E plans and Emergency Action Plan for US Embassy.

Field Chief, Lesotho

- Established representation in new areas abroad, recruited/trained personnel and administered multi-million dollar program budgets; met or exceeded all management objectives.

Field Chief, South Africa (includes service in Zimbabwe)

- Provided risk assessment, economic and military analysis.

Deputy Field Chief, Nigeria (includes service in Benin, Niger)

- Conceived and directed information collection programs that produced intelligence used by the White House, National Security Council, Pentagon and Department of State.

Operations Officer, Ethiopia

Operations Officer, Geneva

Education

Juris Doctorate, International Law, University of Denver, Colorado 1974

Master of Arts, History, University of Denver, Colorado 1974

Bachelor of Arts, History, New College, Sarasota, Florida 1972

Awards

Three CIA Awards for Exceptional Service under conditions of Hazard & Hardship

Four CIA Awards for Exceptional Performance and Superior Accomplishment

Current/Past Professional Associations

Special Forces Club, London

National Military Intelligence Association

Association of Former Intelligence Officers

International Association of Counterterrorism & Security Professionals

Royal Canadian Military Institute